FAYETTEVILLE OBSERVER.

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COMMUNICATIONS.

BATTLE OF MOORE'S CREEK.

[CONTINUED.]

From the testimony of the Commander-in-Chief of the American forces, and his official despatch, the friends of Caswell appeal to the declarations of Brigadier General Donald McDonald, Commander-in-Chief of the loyalists in North Carolina. If this case is to be governed by the ordinary rules of evidence, Professor Hubbard vouches for the credibility of his witness, notwithstanding the fact that Gov. Swain, in 1853, in his Lecture before the Historical Society at Chapel Hill, on the British invasion in 1776, stamps upon him the seal of duplicity, if not infamy, in the following extract from that lecture:

"Towards the close of the year 1775, as we learn from the account of the proceedings of the American Colonists in the Gentleman's Magazine for June 1776, two Scotch officers, Messrs. McDonald and McLeod, passed through Newbern. They were suspected of some sinister design, and questioned by the Provincials concerning their business. They pretended they were officers who were wounded at Bunker's Hill, and *had left the army* with a design to settle among their friends." It thus seems that by fraud they were enabled to reach the Scotch settlement, and on the 5th Feb'y 1776, they unfurled the royal banner at Cross Creek, exhibited their commissions from Gen. Gage, then in Boston, and became commanders of all the royal forces in North Carolina, thus superseding Allan McDonald in command. On the 20th Feb'y 1776, we find Col. James Moore reminding this same Gen. Donald McDonald whose letters are now used to contradict Moore, that he was a perjured man. Col. Moore writes to him from his camp at Rockfish as follows: "I cannot conclude without *reminding you, Sir, of the oath* that *you* and some of your officers *took at Newbern* on your arrival to this country, which I imagine you will find *difficult to reconcile to your recent conduct.*"

It is upon two letters written by Gen. McDonald that an effort is made to wrest the laurels from Lillington's brow and bind them upon Caswell's —this General who was sick on the day of battle, who never came *within eight miles* of Moore's Creek Bridge until carried there on the 28th, the day after the battle, and who A. Maclain Hooper says was deficient in *nerve and capacity*. And because he speaks of "Caswell's camp," and omits to call it Lillington's, it is gravely argued that Caswell *was* the Commander. Now we have before shown that Lillington was Commander; and until some authority is produced that he was *superseded on the field, he was in command*, and so posterity will believe, unless better authority is produced than Gen. Donald McDonald, the man who on the 29th May, 1776, could write as follows:

"Having *taken leave* of Gen. Moore *and Col. Caswell, Lieut. Col. Bryant,* (Bryan) *took him under his care, and after rummaging his baggage for papers, &c., conducted him to Newbern.*"

And who, on September 6th, 1776, in stating the same facts and circumstances, details them as follows:

That Col. Moore told him he "would give him a parole to return to his sick quarters, as his low state of health required it much at that time; but *Col. Caswell objected thereto,* and had him conducted prisoner to Newbern, but *gently treated all the way by Col. Caswell and his officers.*"

In his first letter he *takes leave* of Caswell: Bryan takes him, then *robs him.*

In his second letter, four months after, Caswell conducts him to Newbern, and *gently treats him all the way*, yet objected to Moore's giving him a parole. Now we submit that a man who could not tell twice in the same way, two facts pertinent to himself, cannot be relied on to give the history of a battle he did not see, or tell who commanded in a camp which he barely passed through, having been arrested 8 miles above Moore's Creek on the 28th, and on the evening of the same day was 10 miles below, *en route* for Newbern. Nor can he be heard to tell whose camp it was, when in his *first* letter he calls it "Caswell's camp," and in his *second* styles it "General Moore's Camp at Moore's Creek."

Upon these letters it is argued that it was Caswell's camp; that Gen. McDonald was his prisoner; that Caswell *alone* had the right to dispose of him in defiance of his superior officer, Col. Moore Fortunately for Col. Caswell's own fame, his letter exists, and that exonerates his name from the charge of such *"higher law"* doctrines as his friends would affix to it. He says in writing to the President of the Provincial Council, "I therefore, *with Col. Moore's consent*, am returning to Newbern with the troops *under my command*, where I hope to receive your orders to dismiss them. There I intend carrying the General."

Is there any thing in this letter that warrants the *assumption* that Caswell claimed the right to control Gen. McDonald because he was his captive and he the leader, and possessed of powers superior to his commanding officer Col. James Moore, and to all others except "the highest political authority in the Province"? Seeing that Caswell's friends rank him *higher* than *Moore*, it is not surprising they should *attempt* to place him above Lillington. But that point, and the effects of Gen. McDonald's testimony against the statements of Moore and Caswell on Lillington's position, I submit to a discerning public, feeling assured that it will never suffer Lillington to be degraded in rank upon the letters of a man such as Gov. Swain and Col. James Moore have proved him to be; and never will credit inferences drawn from his letters that Col. Lillington was not even [illegible] the Camp at Moore's Creek, or if there was so insignificant as not to be seen or named.

If need were, more natural inferences could be drawn from the omission of the name of Lillington in McDonald's letters. On the 28th he is arrested 8 miles above Moore's Creek and carried there. There Col. Moore was chief, not Lillington or Caswell. A brief sojourn is made at this point; he surrenders his sword to Moore and it is returned. No incident arose to designate whether Lillington or Caswell ranked, or what grade Lillington held. It was otherwise with Caswell: he had to leave with his troops for Newbern, and was of course in command of those troops. McDonald went with him, and witnessed his rank, but had no opportunity of ascertaining Lillington's rank, who remained with Moore at Moore's Creek, while McDonald encamped with Caswell on the 28th at Long Creek.

Again, the battle having been fought in Lillington's District, Col. Moore the chief having arrived soon after, Lillington may have headed the scouting parties who pursued and took the large number of prisoners and sent them in (Gen. McDonald inclusive,) to Col. Moore, and may not have been in the camp while McDonald *made his transit through.* It would not have been right or convenient for Caswell to have gone in pursuit, as he was preparing to return with his command to Newbern, and if Lillington did go, as he should have done in his own District, he left Moore, and not Caswell, Commander behind.

The next authority relied on by the friends of Caswell is an extract from the Annual Register for 1776, which Gov. Swain in his Lectures on the "British Invasion in 1775" says "is the most comprehensive and accurate (account of the battle) that has fallen under my observation," and publishes it as an Appendix to his Lecture. See Rev. Hist. of N. C., page 213. The reader, on referring to the "impartial" author of the "account" of the battle of Moore's Creek, will be surprised to find that, *"most comprehensive* and *accurate,"* as it is pronounced to be, it omits all mention of the name of Lillington; and yet Col. Moore and Col. Caswell, in official accounts of the battle, written from the battle-field, declare that Lillington with the Wilmington Minute men, and Col Ashe, had occupied the ground from 24 to 30 hours before the arrival of Caswell. Who is to be believed, the Annual Register or Cols Moore and Caswell? Professor Hubbard says, Mr. Burke, under whose direction the Annual Register was prepared for the press, *cannot be suspected of partiality or misinformation.*" Who then is to be *"suspected"?* North Carolina's first and ablest Generals, and North Carolina's first and most distinguished Governor? Burke and they differ: both cannot be right: which is?

To sustain the Annual Register the authority of Stedman—the British Historian of the American war,—is invoked by Professor Hubbard, who says that "the minuteness of his narrative of this action shows that his intelligence was not at second hand," but was probably derived from the actors in the battle. Prof. H says "His sketch of the battle is given entire, because it differs from the common impressions about that event, and is much more likely to be accurate."

His sketch *does differ* from the common impressions about that event—impressions created by the letters of Moore and Caswell. But is it not strange that for that reason the distinguished gentleman should claim that Stedman *"is much more likely to be accurate"?* The reverse of his proposition it strikes me would be much more natural. The points designed to be established on Stedman's authority are, First, Caswell commanded because Lillington's name is not mentioned in the sketch, while Caswell's is. 2d. "That a dangerous position on the right bank of the Creek was at first taken; that the position was changed after the arrival of Caswell; and that *then* the entrenchments were thrown up," &c.

In reply to the first position it is sufficient to refer to the letters of Moore and Caswell. They prove that Lillington was there, and the former proves that he was then chief in command, for he says Lillington had *taken his stand at the Bridge* and was *"reinforced* by Caswell."

The second point presents a new and a serious charge. So long as it slumbered on the pages of Stedman, now nearly out of print, it was deemed harmless, no one supposing that it could ever be *accredited in North Carolina.* But now we are informed that "because it *differs* from the *common impressions* about that event," (battle) it "is much more likely to be accurate." It is time that Stedman should be examined and his misstatements pointed out.

In the article by Professor Hubbard, there is a direct charge, "that a dangerous position on the right bank of the Creek was at first taken." He does not *say* by whom, but leaves the *inference* that it was taken by Lillington, and was "changed after the arrival of Caswell." Stedman is the only authority he produces to sustain his allegation. Now I submit that as Stedman does not *name* Lillington as being *present*, no inference can arise that *he* took the *dangerous position* on the *wrong side* of the Creek, admitting for argument sake that such a position ever was taken. Let us now see whom Stedman *does say* took a "dangerous position" on the wrong side of the Creek. On this point I will let him speak for himself:

"Colonel Moore" * * * "crossing at the lower ferries, on the north-west, effected a junction *with Colonel Caswell, who was at that time encamped on the north side of Moore's Creek Bridge.*"

If the "accurate" Stedman is to be believed, Colonel Caswell, and *not* Col. Lillington, took the "dangerous position on the right bank of the Creek."

Let us see at whose expense the "accurate" Stedman gets Col. Caswell on the right side of the Creek. He says:

"The loyalists had proceeded without interruption within half a mile of the rebel camp; and the night before they intended to attack it, they sent a flag of truce, by way of getting intelligence of their situation, and which was nearly as hazardous a one as that in which Col. Moore had placed himself at Rock Fish; but the insecurity of their position did not escape the vigilance of Caswell; for as soon as night came on, he lighted up all the fires, which he left burning, in order to deceive the loyalists, retreated over Moore's Creek, took the planks off the bridge, and greased the sleepers, which are only passable by one man at a time, and placed his men about fifty yards from the banks of the Creek, behind trees, and such little intrenchments as in the course of the night they were able to throw up."

It thus appears by Stedman, that Col. James Moore, the commander-in-chief of all the forces, had formed a junction with Caswell, *before* the battle, was a perfect *ninny* in his own camp; that he was in as hazardous a position as he had been at *Rockfish*, and that the *vigilant* Caswell retreated over Moore's Creek to the right side, leaving him (like Pillow) on the *wrong side*, either to *creep* over *greased sleepers* or become captive of the Loyalists. In all this the fair fame and good name of Col. Lillington is not concerned, as, according to Stedman, (and Professor Hubbard vouches for his "accuracy,") Lillington was not present. I submit that the State will guard with jealous care the reputation of Col. Moore, the ablest soldier she yet has given to the country.

To those who are familiar with the *true* and *official account* of the *battle*, it is not necessary that I should say, that Moore did *not* form a junction with Caswell till *after* the battle; that he never was encamped with him on the *west side* of the Creek; that the vigilance of Caswell never detected the hazardous position Moore had placed his troops in; that he never was in a hazardous position at *Rockfish*; but on the contrary the Loyalists retreated from before him, resolved to risk the ills they knew not of, rather than attack him at Rockfish. Now it will not do to say, that Stedman *meant* Lillington when he *said* Moore, because that would detract from his character for *accuracy*, and would be *mentioning Lillington*, the very thing Professor Hubbard says he did not do, and because he omitted to mention him he claims that Caswell is entitled to the honors of command and glories of the victory.

So far as Lillington is concerned, he needs no defence. Neither Stedman nor Professor Hubbard charges *him* with taking a dangerous position on the wrong side of the bridge; but if they did, Moore and Caswell disprove it; and I challenge all of Caswell's friends to prove that Lillington ever encamped or took position on the *west* bank of the Creek, for the purpose of defending the pass of the bridge and preventing the Loyalists reaching Wilmington. Fortunately for the settlement of this question, the entire battle ground, like that of Guilford Court House, is as it was when the battle was fought—the encampments, and entrenchments are *all on one side—the east side;* and the descendants of widow Moore live now, where she lived, on the west side, to disprove the allegations made on the authority of Stedman. Fortunately too for the truth of history, there lies before me an extract from a letter of Col. Saml. Ashe, dated in 1832, the original of which I have seen, in which he says:

"Upon the approach of the Scotch to Wilmington, they were met at *Moore's Creek by General Lillington,* who *stationed his men* across a peninsula formed by the Creek, *commanding entirely* the *road and the bridge by his position.*" Fortunately too for the fame of Lillington, Colonel Moore's letter exists in which he ordered Lillington "to take *possession of Moore's Creek Bridge,*" and in his account of the battle he says:

The enemy "finding a small intrenchment *next the bridge, on our side* empty, concluded that our people had abandoned their post," &c.

And neither Lillington's subsequent career as a soldier, or the estimate placed upon his military talents by his contemporaries, as we shall presently show, will warrant any one in alleging without proof, that he endeavored to take possession of Moore's Creek Bridge by stationing his men upon the *wrong side.* Again it is fortunate that evidence of the extent and magnitude of the entrenchments that were thrown up, still exists, to negative the assumption that they were thrown up by Col. Caswell after his arrival, with his *tired* and *hungry troops*, from Corbert's Ferry, where the Loyalists had eluded him. In order that a comparison may be made between the European historians of this battle and the commanders, I append extracts from the letters of Colonels Moore and Caswell, and ask a discerning public to determine which is true. Until the names of Moore and Caswell are tarnished and dishonored, posterity will read the *true* history of this battle in their letters and discard whatever does not accord with them.

From Gen. Moore.

"On the 23d I crossed the River at Elizabeth Town, where I was compelled to wait for a supply of provisions until the 24th at night, having learnt that Col. Caswell was almost entirely without. Just when I was prepared to march, I received an express from Col Caswell, informing, that the Tories had raised a flat which had been sunk in Black River about five miles above him, and by erecting a Bridge had passed it with their whole Army. I then determined as the last expedient, to proceed immediately in Boats down the North West River to Dollerson's Landing about sixty miles, and to take possession of Moore's Creek Bridge, about ten miles from thence, at the same time acquainting Col. Caswell of my intentions, and recommending to him, to retreat to Moore's Creek Bridge if possible, but if not, to follow on in their rear. The next day by 4 o'clock, we arrived at Dollerson's Landing, but as we could not possibly march that night, for want of Horses for the Artillery, I despatched an express to Moore's Creek Bridge, to learn the situation of affairs there, and was informed that Col. Lillington, who had the day before taken his stand at the Bridge, was that afternoon reinforced by Col. Caswell, and that they had raised a *small breastwork*, and destroyed a part of the Bridge. The next morning the 27th, at break of day, an alarm gun was fired, immediately after which, scarce allowing our people a moment to prepare, the Tory Army with Capt. McCloud at their head, made their attack on Col. Caswell and Col. Lillington, and finding a *small intrenchment next the bridge*, on our side, empty, concluded that our people had abandoned their post, and in the most furious manner advanced within thirty paces of our Breast-work and Artillery, where they met a very proper reception. Capt. McCloud and Capt. Campbell fell within a few paces of the Breastwork, the former of whom received upwards of twenty balls through his body, and in a very few minutes, their whole Army was put to the flight, and most shamefully abandoned their General, who was next day taken prisoner."

From Col. Caswell.

"SIR: I have the pleasure to acquaint you that we had an engagement with the Tories, at Widow *Moore's Creek Bridge*, on the 27th current. Our army was about one thousand strong, consisting of the *New Berne* Battalion of Minute-men, the Militia from *Craven, Johnston, Dobbs*, and *Wake*, and a detachment of the *Wilmington* Battalion of Minute-men, *which we found encamped at Moore's Creek the night before the battle, under the command of Colonel Lillington.*"

The next authority relied on to sustain the claim of Caswell, is an extract from a funeral oration delivered on his death, by Francois Xavier Martin, in 1789, in which he says:

"It was he who headed you on the day you broke down the superior phalanx of Scotch insurgents at Moore's Creek."

Now be it known that this oration was delivered in *Newbern*—that Caswell was commander of the *Newbern* battalion of minute-men, who were present under him at Moore's Creek, and returned to Newbern under his command. Bearing all this in mind, what else could Francois Xavier Martin say, if he designed to tell the truth, but what he did say, "It was *he* who headed *you*." This is true, but is wide of the mark if designed to prove that *he* headed Lillington and Ashe of New Hanover, who not being present, or of Newbern, could not be comprehended under the pronoun "*you.*"

Foiled in the attempt to use his oration as authority, his history is brought upon the stand, and that proves that Lillington was present, which McDonald, Stedman, and the Annual Register in effect deny, by omitting all mention of his name. To break the force of the testimony of Martin, Professor Hubbard *declines* to quote *his account of the battle*, but asserts that "while he speaks of Caswell and Lillington as both present there, still whatever he describes as being done, he declares was done by Caswell." And from this the inference is drawn that Caswell was the "directing spirit."

After this summing up of the statements of Martin, the following extracts from that author sound strangely:

"In the mean while, Colonel Caswell *and* Col. Lillington, who commanded the minute men *of the Districts of Newbern and Wilmington*, joined by some parties of militia and a few volunteer corps, came and encamped on the bank of Moore's Creek near its junction with South River in the county of New Hanover." * * * General McDonald "crossed South River, and proceeding down towards the town of Wilmington, fell in with Colonel Caswell *and Colonel Lillington*, who, with about one thousand men, were *encamped* on the *south east side of the Creek*, where *they* had *thrown up some works* for the *defence of their camp*: Colonel Caswell *had caused* the planks of the bridge to be taken up," &c. * * * * The enemy "began the attack with much vigor, and were received by the *provincial forces* with great coolness and bravery; but the fall of Colonel McLeod and of several officers early in the battle, damped the spirits of the men, and Colonel Caswell having improved the first moment of apparent discomfiture to charge with intrepidity and boldness, the royal army was routed," pursued, and many prisoners were taken.

Taking all that Martin has said to be true, Caswell did *not* do all that was done; for according to his statement, Lillington and Caswell encamped at Moore's Creek at the same time, and *together* placed the position in a state of defence, and *together* received the enemy with coolness and bravery; and it is not *until* the "apparent discomfiture" of the enemy that Caswell is made "to charge with intrepidity and boldness." So that upon this latter point, Martins sustain Col. Ashe and Col. Moore, and Dr. Caruthers and Mr. Hooper agree—one of whom represents Caswell as being "entrenched on advantageous ground," while the other says he formed his men in the rear of Lillington, who being in front, must have caused the "apparent discomfiture" which Caswell so gallantly improved. It has before been shown by the letters of Moore and Caswell, that Lillington was on the ground some 24 or 30 hours before the arrival of Caswell. "Caswell *had caused* the planks of the bridge to be taken up." This is the only thing Martin represents him as causing to be done in which Lillington had no share; but this does not warrant the conclusion that whatever was done at Moore's Creek was done by Caswell, or that he was the commander.

The next evidence relied on is Archibald Maclaine Hooper, who, in the University Magazine for 1853, is reported as saying, "that Caswell, in his capacity of *commander in chief*, directed the movements of the army, I have not a doubt"; and from this it is argued that Caswell did command, and that it was Caswell's camp—a camp in which Lillington had no portion or part, in the estimation of one who feels that he occupies the position of an impartial judge. Now I submit that it would have been more satisfactory to have copied what Mr. Hooper did say; but since it has been omitted by Professor Hubbard, I will supply the defect.

Mr. Hooper, in describing the incidents of the battle, says:

The enemy "suddenly came upon the encampments of Colonels Caswell and Lillington on the *East side* of Moore's Creek." * * * "The Whig Army were *kept under arms the whole night.*" And after stating that Caswell's forces "constituted the main body of the army," he says, "Lillington, with his minute men and volunteers—three hundred in all—formed what may be styled the *advance guard*, and *took his station in front.*" * * * "I do not therefore agree with Mr. Jones that it was impossible for Col. Caswell to share in the earlier labors of the day. I see no impediment to *his* crossing the bridge the moment *Lillington's troops had passed it*, and that he did so and fought as gallantly as Lillington or any other officer—and that in his capacity of Commander in Chief he directed the movements of the army—I have not a doubt." "If otherwise, the Convention which passed a Resolution of thanks to Caswell for his services on that occasion was guilty of the grossest injustice in overlooking Lillington," &c.

Previously he has said:

"But speculation must yield to fact. The convention which met at Halifax in April 1776, voted a resolution of thanks to Col. Caswell for his services on the occasion of this victory."

The only other authority on which he bases his opinion is an item in a Newbern Newspaper which he never saw but had heard discussed; and the only knowledge he had of the vote of thanks to Caswell was obtained from Gov. Swain's Historical Address.

From these statements of Mr. Hooper, it appears that Lillington formed in the front, and *was the leader—"the leading spirit,"*—and that Caswell followed; that Lillington *"took his station in front"* as the *"advance guard,"* which fully corroborates Col. Samuel Ashe and Dr. Caruthers. It further appears from Mr. Hooper, the authority invoked by Professor Hubbard, that "the whig army were *kept under arms the whole night,"* a circumstance that *precludes* the *possibility* of *having used spades*, and makes it clear that Lillington had thrown up all the "entrenchments" *before* the *arrival* of *Caswell*, which corroborates the testimony of Col. Ashe and Mr. Larkins.

It further appears from the article of Mr. Hooper, that he was not aware a vote of thanks had been tendered Moore and his officers, neither had he seen the acts under which the battalions were raised, and only concluded that Caswell was *"Commander in Chief" because* he was thanked. Now both Professor Hubbard and I know that Moore was "commander in chief," and that Caswell did not command in that *"capacity."* So that the authority invoked fails him and proves the reverse of what he designed.

Another authority relied on to establish Caswell's claim, is a letter of Col. Purviance of Bruswick, to the Wilmington Committee, three days before the battle, in which he says, "I have acquainted Col. Caswell with what I have done, and requested his assistance;" and from this it is argued that Caswell was chief, in opposition to the fact that the Provincial Congress named the counties in which each battalion was to be raised, and *within which each Colonel was to command.* Purviance could not have written Lillington for help to defeat the enemy, because he already knew that Lillington his superior officer, had *gone* to Rockfish with his battalion, where Col. Moore was encamped, prepared to meet the enemy whereso-ever found. A letter from Purviance would have been calling Lillington *from* the enemy, instead of asking him to come and assist, as was the case in his letter to Caswell.

CONCLUDED ON MONDAY.

The Bank of Charlotte has declared a semi-annual dividend of 3 per cent.

And the Merchants Bank of Cheraw 4 per ct.

Sale of Negroes.—On the 1st of January several negroes were sold in this place at auction. A negro man, about 23 years of age, brought $1,525. He was not a mechanic of any kind, but sustained a first rate character. Another man, same age, sold for $1,265. A girl, 18 years, with infant, went for $1,255; girl 9 years old, $600; boy, 15 years, $1,010.

Negroes hired at good prices: Cooks for $75; men $125 to $150.—*Char. Democrat.*

MARRIED,

At Alligator, Columbia County, East Florida, on the 24th ult., by the Rev. Daniel McNeill Turner, the Rev. B. E. LANNEAU, to Miss FANNY H. ECCLES, second daughter of the late J. D. Eccles, formerly of this place.

OBSERVER.

FAYETTEVILLE.

THURSDAY EVENING, JANUARY 7, 1858.

DEATH OF THE EDITOR OF THE WILMINGTON HERALD.—We deeply regret to hear this morning of the death of Talcott Burr, Jr., Esq., Editor of the Wilmington Herald, which he has conducted with decided ability and more than ordinary sprightliness for seven years past. We have had but little opportunity to know him personally, but that little confirmed the feelings of respect and friendship which his editorial course inspired.

The Journal of yesterday thus appropriately announces this sad event:

It is our painful duty to announce the death of T. Burr, Jr., Esq., Editor of the Wilmington Herald, which took place last evening, at the residence of his father, in this town. His disease, we believe, was typhoid fever.

Mr. Burr was a native of Wilmington, and, we think, somewhere in the neighborhood of thirty-eight years of age. He had been connected for nearly seven years with the press of the State, as editor of the Wilmington Herald, the duties of which position he discharged with energy and ability, and to the full satisfaction of his friends.

If, in the excitement of party warfare, offences may have come, or ill-feelings may have arisen, we are confident that they passed away with the occasions which produced them; and, certainly, the grave, which levels all distinctions, must extinguish all animosities. We feel it to be essentially so in this case. We know that Mr. Burr's death is regretted alike by political friends and political opponents.

It is not for us to usurp the office of more familiar friendship, and speak of Mr. Burr in the various relations of son, brother or friend. We only know that he possessed qualities of head and heart which endeared him to a large and devoted circle of friends and relatives. To these qualities some one better able to do them justice, will, no doubt, pay the fitting tribute. The sorrows of the family circle are sacred, and upon them we would not obtrude. God alone is the true consoler. It only remains for us, in common with our brethren of the press, to mourn the loss of a valued cotemporary and a worthy citizen.

TOWN ELECTION.—On Monday last the following gentlemen were elected Mayor and Commissioners of this town, (being the Ticket headed the "True American Ticket.")

Archibald McLean, Esq., Mayor.

Commissioners.

Ward No. 1, J. Sundy.
" " 2, M. McKinnon.
" " 3, E. L. Pemberton.
" " 4, J. McGilvary.
" " 5, A. A. McKethan.
" " 6, Wright Huske.
" " 7, William Warden.

Major McLean succeeds Mr. Buxton, who declined a re-election. The Board of Commissioners is without change from last year.

N. C. PRESBYTERIANISM.—There are 13,409 communicants in the Synod of North Carolina, nearly 2,000 more than in South Carolina, and nearly 4,000 more than in Virginia.

The State is divided into 3 Presbyteries: Orange, Fayetteville, and Concord. In the first there are 28 Ministers, 46 Churches, 2,820 communicants. In the second, 24 Ministers, 58 Churches, 4,048 communicants. In the last, 37 Ministers, 63 Churches, 6,541 communicants.

There are but two Presbyterian Churches in that part of North Carolina east of the Wilmington and Weldon Railroad; about one-fourth of the State. The Rocky River Church in Cabarrus county has the largest membership in the Southern States, viz: 573.

We gather these items from our neighbor, the Presbyterian.

A SENSIBLE COURSE.—The Administration, we are glad to see by an article in the Union, does not intend to follow the evil example of many of the Democratic papers in making a martyred hero of Gen. Walker, and a victim of Com. Paulding.

The Commodore of course transcended his powers, but the result of his action is agreeable to the Administration, and he will be tenderly dealt with.

CONGRESSIONAL CORRUPTION.—The Journal of Commerce very properly calls for an investigation into the manner in which the house of Lawrence, Stone & Co., disposed of those "$85,000 to secure the passage of the tariff bill of 1857." And it mentions in that connection the fact stated some two months ago, that among the papers of Lawrence, Stone & Co., when they failed, was found a receipt for $10,000 signed by N. P. Banks, the late black republican Speaker of the House of Representatives. The friends of the Speaker stated that it was a receipt for "borrowed money." But putting the two things together—the fact of an expenditure of $85,000 to procure the passage of the tariff, and the fact that Mr. Banks's receipt for $10,000 was found among the papers of the firm that paid the money—it certainly looks suspicious, and should be investigated. It will be recollected that some of Mr. Banks's political associates were found guilty of corrupt acts of that sort at the same session and expelled.

By all means let the people know *who received* the $85,000.

It is pertinently asked,—

"If one corporation was called upon to pay $85,000 to secure the passage of the Tariff bill, by what rule shall we approximate the entire cost of the Act? Other Corporations were equally interested, and doubtless contributed liberally to the fund raised for that purpose. If so, the corruption fund must have been enormous,—and its application calculated to produce the most disastrous influences upon the country."

Pork.—A drove of 200 hogs arrived here last week, and was readily sold out at $7 50 per hundred, neat.—*Sal. Watchman.*

CONGRESS.

Both Houses re-assembled on Monday last. In the SENATE, a resolution was adopted requesting the President to communicate all correspondence, instructions, orders or other information bearing upon the Walker expedition and arrest.

Mr. Pugh, Dem., of Ohio, offered a Kansas "compromise." His bill admits Kansas, but provides for the re-submission of the "slavery article" in that Constitution to a direct vote of the people, and expressly reserves to the people of Kansas the right, through their Legislature, at any time, to call a Convention for the purpose of altering their form of government. The ordinance of the Lecompton projet is also rejected and new articles of compact substituted. The bill was referred to the Committee on Territories.

In the HOUSE OF REPRESENTATIVES, on Monday, Mr. Clingman, from the committee on foreign relations, reported a resolution calling upon the President for official information in relation to the capture of Walker. Amendments were proposed in regard to Walker's violation of the laws of the U. S. and our obligations under the recent treaty with Nicaragua. After discussion, the several propositions were adopted.

Mr. Winslow introduced a bill for the relief of John V. Dobbin, late a purser in the navy of the United States.

Also, a bill to alter the place of holding the fall term of the Circuit Court for the District of North Carolina.

Mr. Gilmer introduced the following resolution, which was adopted:

"Resolved, That the Secretary of the Interior be directed to communicate to this House a statement of the annual amounts of the public lands that have been sold or disposed of by the United States, and of the annual amounts that have been granted to the States, to corporations, to companies, and to individuals, with the dates of the grants and appropriations, and for what purpose granted; also, the amounts paid to the several States, respectively, as a per centage on the sums received by the United States upon the sales of the public lands, and that he report also the amount of public lands yet remaining to the United States.

On Tuesday, a long discussion occurred on Mr. Quitman's motion to refer to a select Committee that part of the President's message relating to the neutrality law. Mr. Quitman, Mr. Stephens of Ga. and Mr. Keith of S. C. spoke strongly in condemnation of Walker's arrest. Mr. Stephens thought Walker had committed no offence against our laws, or if he had, the laws ought to be amended. Walker and his men should be replaced where they were arrested. Walker was not a fugitive from justice; for, when brought back on his parole, and delivered to the executive, he was told "to go in peace." He should be put back in *statu quo ante bellum.* There is no common law recognition of crimes against the United States. Such crimes must be specified in laws passed under constitutional authority, else they are not binding. Mr. Stephens concluded by proposing an amendment, which was accepted by Mr. Quitman, providing for the repeal of the neutrality act.

TREATY WITH JAPAN.—It was mentioned in the foreign news by the Arago that an important treaty had been made with the Japanese Government by the American Consul General, by which important advantages to our commerce are secured.

It is a source of some pride to a North Carolinian to know that these results, by which a new world, almost, is opened to commerce, are due to the expedition projected and planned by one North Carolinian, as Secretary of the Navy, Gov. Graham, executed by the orders of another North Carolina Secretary, Mr. Dobbin, and that the History of the Expedition was written for official publication by another distinguished son of North Carolina, Rev. Dr. Hawks.

1857.—The exports of breadstuffs and provisions from all the ports of the United States, for the year ending June 30, 1857, amounted to $71,667,852, about $3,000,000 less than for 1856.

1,048,282,475 pounds of Cotton were exported; value $131,575,859; average price 12 55.

The number of bales of cotton shipped was 2,265,588 against 2,991,175 for the preceding year, and 2,303,403 for the year 1854–5. The price averages higher than for any preceding year since 1839.

The quantity of cotton for the last year was about the same as for 1855, but produced $43,000,000 more. It was less than the preceding year about 700,000 bales, yet produced $3,000,000 more.

14,432 bales, 5,631 cases, 156,848 hhds of Tobacco exported; value $20,662,772. The export is much less than for the preceding year, but the product in dollars larger by about 67 per cent.

74,305 bbls and 64,332 tierces of Rice exported; value $2,290,400. Quantity very much the same as last year; product $100,000 less.

The immigration at New York for 1857 amounts to 184,773; 43,000 larger than in 1856, 50,000 larger than in 1855; 135,000 less than in 1854, 100,000 less than in 1853. 57,106 for the last year are Irish, 78,758 Germans.

We glean these items from the long statistical tables in the Journal of Commerce.

Large Pigs.—C. T. Stevens of this County reports killing two seven months old pigs on the 21st of Dec., weighing, one 174 and one 173.

Everitt Peterson also reports two pigs killed on the same day, which were pigged on the 3d of March 1857. One weighed 122 and one 121. We challenge all who live outside of Sampson to beat these pigs.—*Clinton Independent.*

Large Hog.—A friend writes us that Mr. James Stewart, of Harnett county, killed a hog on the 28th ult., about two years old, which weighed 594 pounds. The hog measured 6 ft. 7 inches from the end of the nose to the root of the tail, and 6 ft. 5 inches around the body. Our correspondent well asks, "Who will beat it?"

Ral. Standard.

COMMUNICATION.

BATTLE OF MOORE'S CREEK.

[CONCLUDED.]

Another authority much relied on is Dr. E. W. Caruthers to whom Professor Hubbard refers in the following terms:

"Though he also lies out of my range of fifty years from the battle, I cannot forbear to quote as entitled to much weight, the judgment of Dr. Caruthers on this subject. He says, "In giving to Col. Caswell the command of the whole and the highest honors of the day, I have merely followed the documentary evidence and the traditions of the country." Rev. Incidents in the Old North State, Vol. 1, p. 123.

After reading the above passage the reader will be surprised to find the following which I copy from Dr. Caruthers:

"Lillington's men were drawn up across the peninsula, and lay on their arms all night."

"Lillington and Caswell, with their men, seeing the advantage gained, immediately rushed over, [the bridge,] *Lillington leading the way, as his position was in front, the post of danger and of honor.*"

"Col. Lillington had the day before taken possession of the bridge, and that having been *reinforced* by Col. Caswell in the afternoon they had thrown up a small breastwork," &c.—pages 84, 88, 89.

To some it may seem strange that Dr. Caruthers should give his *opinion* in favor of Caswell, and his *facts*, viz: "the post of danger and of honor" to Lillington. This is easily explained, and had Professor Hubbard quoted just one line more—the line which follows where he left off—he would have given a key that would have explained the seeming inconsistency of my friend, Dr. Caruthers, who says,

"He (Caswell) was the *senior officer*, and the *command devolved on him of course.*" Now Professor Hubbard and I both know that Caswell was *not* the *senior* officer, and that the command did *not devolve* on him as a matter "*of course.*"

Dr. Caruthers devotes sixty pages of his book to the Battle of Moore's Creek; he evinces a strong desire to do justice between Caswell and Lillington; but his *opinion* is not sustained by his *facts*, but rather seems as it were to come in awkwardly. In the outset he says, "Col. Caswell *has been regarded* as having the command" "as the senior officer."

In the conclusion, he bases his opinion on the *seniority* of Caswell, (in which he was mistaken,) and on "the *documentary evidence* and the *traditions* of the country."

On examination it turns out that his documentary evidence consists only of the vote of thanks to Caswell, and two letters of A. O. Grady of Duplin County, for which he says he was "indebted to Gov. Swain."

On referring to those letters, it appears that Mr. Grady's memory fails to carry him back to the time of the battle by 30 years. He states that John Grady of Duplin County, his kinsman, who was killed in that battle, was "in Col. Caswell's regiment." On this point either Mr. Grady's memory is at fault, or the records of the Provincial Council where Duplin is put down in the *Wilmington, not the Newbern District.* The "traditions" relied on by Dr. Caruthers are laid in Moore or Alamance, whither, at present, time will not allow me to wander.

I trust I shall be excused from saying more on this authority, since he is outside of the first fifty years after the battle; and if more is needed, I place on record, as a set-off, the *clear and unequivocal opinions* of Jones, Wheeler, Wiley, McRee, Foote, Ashe, Davis, and Wright,—authors who not only give an opinion but give reasons for their faith—reasons that will carry conviction to the mind of the great body of the people, that Lillington was entitled to and did command at the Battle of Moore's Creek Bridge.

The next authority relied on to substantiate the claim of Caswell is the fact that the Provincial Congress, which convened in Halifax on the 12th April 1776, tendered him a vote of thanks in the following words:

"Resolved, That the thanks of this Congress be given to Col. Richard Caswell and the brave officers and soldiers *under* HIS command, for the very essential service by them rendered this country at the Battle of Moore's Creek."

Until recently it was generally believed that *no other vote of thanks* was tendered the officers and men for their services at Moore's Creek; and this vote to Caswell has been referred to as conclusive proof against the claims of Lillington.

It now appears, however, that as early as the 4th of March 1776, seven days after the battle, and after the return of Caswell to Newbern, that the Provincial Council tendered to Col. James Moore and ALL his brave officers and men a vote of thanks in the following words, viz:

"Resolved, That the thanks of this Council be given to Col. James Moore, and *all* the brave officers and soldiers of every *denomination*, for their late very important services rendered their country in effectually suppressing the late daring and dangerous insurrection of the Highlanders and Regulators, and that this resolve be published in the North Carolina Gazette."—*Am. Ar. 5 vol., 4 series, page* 67.

This last resolve it will be noticed is broad and comprehensive, and includes "*all* the brave officers and soldiers" who were engaged in the campaign, "in effectually suppressing the late daring and dangerous insurrection of the Highlanders and Regulators," &c.

It is not denied but that under this resolve Col. Lillington received *his vote of thanks*, just as much as his Commander in Chief Col. James Moore. But it is argued that because Caswell subsequently received a separate vote of thanks, that *therefore* he commanded at Moore's Creek Bridge. This it will be seen is not *proving* that he did command, but *assuming* that he did, because he was thanked. The fact that he was thanked is conceded, and yet the reason *why* may be anything and everything else rather than that he commanded. I take higher ground and maintain that the resolution in which Caswell was thanked *negatives the assumption that he commanded.* Contrast the language used with that employed in tendering thanks to Col. Moore, and at a glance it appears that it was a limited and special vote of thanks to "Caswell, and the brave officers and soldiers *under* HIS *command*" for the essential service rendered at the Battle of Moore's Creek.

"Note the diversity:" Col. Moore and his officers and men are thanked for "*effectually suppressing*" the insurrection, viz: achieving a triumph over the enemy; whereas Col. Caswell and the men "under his command," are only thanked for he "very essential service by them rendered." Had Caswell been the "*leading spirit*," and *the* Commander, he would have received thanks for "effectually suppressing," or for the "victory achieved," or "triumph obtained" over the enemy, instead of thanks for "essential service rendered," words which in themselves imply that he was but aiding and assisting a superior officer.

Who was "UNDER *his command?* Were Lillington and Ashe, with the Wilmington battalion of minute-men and New Hanover rangers? In answer to these interrogatories let Col. Caswell himself speak. In his letter to Cornelius Harnett, two days after the battle, he says, "I therefore, with Col. Moore's consent, am returning to Newbern, with the troops under my command, where I hope to receive your orders to dismiss them."

Returning to Newbern with the troops "*under my* (his) *command*," thus using the identical language employed in his vote of thanks. Will any one contend that he returned to Newbern with New Hanover troops in order to have them dismissed, when the "situation of affairs" at Wilmington made it imperative on Col. Moore to go there, as he says, with his regiment, on the 1st of March 1776?

Until some one can convince me that Lillington and his troops returned to Newbern with Caswell, I shall maintain he was not "under his command;" and that not being "under his command," and yet present at Moore's Creek with a *right* himself to command, Caswell was not the commander; and the terms of the Resolution, as used and understood by himself, negative the assumption that he was.

I am aware it is contended that this view of the case presents Lillington as the commander in his own District, and Caswell as his subordinate while there; and yet a special vote of thanks was tendered Caswell and his commaud over and above what was awarded to Lillington and his men. Let us see if no *good* reason can be assigned for this apparent anomaly. Lillington was, under Moore, chief in his own district. Insurrection breaks out, and he plants himself with 250 men at Moore's Creek, resolved to defend the pass of the bridge against 1500, or perish in the attempt. On the very night before the battle, Caswell with his larger body of troops comes up, and on the following day a glorious triumph is achieved. The commander in chief, Col. James Moore, with all the brave officers and soldiers of every denomination, are thanked for suppressing the insurrection, and in addition thereto, Caswell receives a special vote of thanks for himself and his men. He was the only Colonel of the Minute-men who reached the scene of action from an adjoining district. For this he was entitled to special thanks; for *this* it was specifically awarded him; and who shall say Congress did wrong so to act? Not the friends of Lillington. They rejoice that Congress so acted, the more especially that on the day they thanked Caswell, they bestowed on Lillington the more substantial honor of an election to the Colonelcy of the 6th Regiment of Continental troops, subject to confirmation by the Continental Congress.

The next evidence relied on by the friends of Caswell, is the *alleged* fact that on the 22d of April 1776, Lillington was *overlooked* by the Provincial Congress of North Carolina, when, in the language of Professor Hubbard, it took "into consideration the state and arrangement of the militia of the Province. The first thing to be done was to select six persons, the best fitted for such office, by personal character and military skill and experience, to take the chief command of the militia in the six Judicial Districts as Brigadier Generals. Allen Jones was chosen for Halifax District; Edward Vail for Edenton; Griffith Rutherford for Salisbury; Thomas Person for Hillsboro'; for Wilmington, not Lillington, but John Ashe; for Newbern Richard Caswell. Lillington was retained in his former rank only, and put in charge of the sixth Provincial Regiment."

Again he says:

"They raised Colonel Caswell to the Brigadier Generalship in his district; and in Colonel Lillington's district they promoted—not Colonel Lillington—but Colonel John Ashe."

All this sympathy for the fate of the neglected Lillington is misplaced; as his *soldierly merits* were *not overlooked* by the Provincial Congress. On the contrary, they were appreciated and rewarded, and he was *not "retained in his former rank only,"* for on the 15th April 1776, seven days before Col. Caswell was elected Brigadier General of the State Militia, Col. Lillington was elevated to the rank of Colonel of the Sixth Regiment in the *Continental* or *U. S. service*—the very rank Col. James Moore had held at the time of the battle of Moore's Creek, and to which Lillington was raised with five others when Moore was made Brigadier General. On this point let the records of the Provincial Congress speak:

"The Continental Congress having appointed Col. James Moore, of the first Regiment, and Col. Robert Howe, of the second Regiment, to the command of Brigadier Generals,

"Resolved, That the troops voted by *the* Congress as necessary to the defence of this Province, shall be divided into six battalions," &c.

"The Congress taking into consideration the appointment of the Field Officers to the Battalions directed to be raised,"

Resolved, on the 10th April 1776, that Francis Nash and Alexander Martin be appointed Colonels of the 1st and 2d Regiments; and on the 15th, at the same sitting that a vote of thanks was tendered Colonel Caswell, it was Resolved that Jethro Sumner, Thos. Polk, Edward Buncombe, and *Alexander Lillington*, be appointed Colonels of the 3d, 4th, 5th, and 6th Regts.

See proceedings of the Provincial Congress of North Carolina, April 10th, 13th and 15th, 1776, Amer. Ar, 5th vol., 4 series, pages 1320—1325.

Here again Professor Hubbard and myself are at variance. He says, "Lillington was retained in his former rank only, and put in charge of the sixth *Provincial* Regiment," while I maintain he was elected Colonel of the sixth Regiment in the *Continental* service. On this point let the records of the *Continental* Congress for the 7th of May 1776, speak:

"The Convention of North Carolina having recommended sundry gentlemen for Field Officers of the six Battalions raised in that Colony, *Congress proceeded to a choice*, and the following gentlemen *were elected:*"—Among the number is "*Alexander Lillington, Colonel.*" Amer. Arch. 5th vol., 4th series, pages 1697–8.

In addition to this proof, I refer to the commission itself, which is "*record evidence.*" It is now in the possession of one of the descendants of Col. Lillington in Wilmington. It bears date 15th April 1776, and on its front is the well known signature of John Hancock, President of the Continental Congress.

It thus appears, as I think, conclusively, that on the 22d April 1776, when the Provincial Congress of North Carolina was called on to "select" six persons "*best fitted*" "by personal character and *military skill* and *experience* to take the chief command of the State Militia," that Colonel Lillington *had* been provided for and elevated to a broader and more distinguished field of action in the service of Congress. He was not left—was not among the number *from whom six persons "best fitted"* to command the *militia* were to be selected.—"When the hour of promotion came," "the honor of a sensitive soldier" was not deeply wounded by having Col. John Ashe, his subordinate, promoted "over his head." Nor was Ashe subjected to the temptation of working "so open dishonor and detriment to his late commander." Col. Alexander Lillington *was first promoted—first* recommended by Harnett, Johnston, Bryan, Jones, Spencer, Hewes, Nash, Ashe, and Hooper, as a soldier who was "*fitted*" to command in that army of which Gen. Washington was commander in chief.—*One week thereafter*, "the hour of promotion came" to Caswell and Ashe—promotions well earned and judiciously bestowed, but not promotions that even by implication detract from the soldierly qualities of Lillington, who in this as at Moore's Creek gallantly led the van, and who in *this* as in *that*, bade Caswell and Ashe to *follow him* in the race of glory. Hence he could not take "umbrage" or feel that Caswell had "defrauded him of his laurels." His laurels were upon his brow. He bore the evidence in his hand in that commission which made him a Colonel in the American army ere yet the Declaration of Independence was promulgated to the world.

That he was among those "best fitted" to command we have the authority of Caswell himself, in the following extract from Professor Hubbard's article:

"In the fall of 1779, Caswell, then Governor of the State of North Carolina, requested Lillington, then raised to the rank of Brig. General, to take command of the troops of this State, then about to be sent under Gen. Ashe, to the aid of the States lying South of us."

Now I by no means concede that because Lillington replied in the spirit of a gentleman and soldier in 1779, that that shall be made to prove that Caswell commanded at Moore's Creek in 1776. Caswell was now Governor and *ex officio* Commander-in-Chief of the troops about to be sent South. It was natural and courteous in Lillington to say, "I shall take the command"; to add, "but wish it suited your Excellency to do so." "I should have waited on you sir with much more pleasure." This proves that Caswell was entitled to the command in 1779; but does not prove that he did command at Moore's Creek in 1776. It proves moreover that those distinguished men had mutual confidence and esteem for each other, and presents them both in an amiable light—a light in which posterity will like to view them, as their deeds of valor become more and better known.

An authority relied on by the friends of Caswell, viz: Hugh McDonald, I had almost overlooked. His evidence I am disposed to admit *almost* in full force: He says, at Moore's Creek lay entrenched Richard Caswell "with a body of American soldiers, who after night uncovered the bridge and greased the sleepers with soft soap and tallow." That Lillington too was present, none can doubt; that point I will not again argue. But I frankly admit that the popular tradition corroborates Hugh McDonald in assigning to Caswell the honor of suggesting the idea of greasing the 'sleepers;' but *this does not prove that he commanded, but simply proves that he "greased the sleepers with soft soap and tallow"*—a point not now in controversy.

After this review of the authorities on which the claims of Caswell are based, who will reiterate the following language:

"The records of the time which have come down to us, whether in the form of public Resolutions or private letters, all point to Col. Caswell, as the leading spirit in that engagement. They all, so far as I know, without exception, mention him as the Commanding Officer of the American forces in that action."

"*All the original witnesses* are on one side, and that the side of Caswell—that *every historian* who has touched upon this action for the first fifty years after it took place, bears the same testimony."

It may be done, but it will be by those who believe McDonald rather than Moore—Burke rather than Caswell—and Stedman rather than the Resolves of the Provincial Congress. It may be done, but it will be by those who seem more familiar with the oration of Martin than his history—more conversant with the writings of Hugh McDonald than the Life of Washington by Chief Justice Marshall, and the History of the Revolutionary War, by Ramsey; the latter of which was published in 1789,—yet both of these historians seem to have escaped the attention of Professor Hubbard; and he is in error when he says that "*every historian* who has touched upon this action for the first fifty years after it took place, bears the same testimony," and mentions Caswell as "the leading spirit," "the commanding officer." Marshall says "Colonels Caswell and Lillington." Ramsey says, "Colonels Lillington and Caswell."

The voice of the past, it seems, is not "as the voice of one man without protest or denial, or doubt or hesitation, assigning the foremost place" to Caswell, but on the contrary, more than one man is found "putting forth a claim" for Lillington, despite the fact he did not announce the victory, while Caswell did. Will it be said that Marshall and Ramsey were misled by "a local and temporary tradition," such as may have influenced Jones of Shocco, Wheeler of Lincoln, Wiley of Alamance, and Foote of Virginia? Be it so. All I can say is, it is strange that this "local and temporary tradition" is all on one side, and strengthening with the lapse of time, and has caused every one of those historians to declare in a voice not to be misunderstood that Lillington was the commander at Moore's Creek Bridge.

In the enumeration of names, I have omitted those of W. S. Ashe, G. J. McRee, Geo. Davis, and J. G. Wright, because they are New Hanover men—but they are such men as could not be induced to rob the Neuse and Cape Fear because they live on the Cape Fear, or detract from Caswell's fame, because the ashes of Lillington slumber in their county.

I have thus met the question on the "record evidence," and it satisfies my mind that Lillington was entitled to command, and I can see nothing in it to warrant the belief that he was *divested of his right on the battle field*, and every thing to prove that he was not.

The record evidence does not satisfy my mind that Caswell, unsoldier like, took advantage of the accidental circumstance of having the largest number of men present, and made his numbers a reason for degrading his equal, Lillington, and elevating himself upon his fall: the more especially when Lillington had pre-occupied the ground 30 hours before his arrival, with 250 men, and had entrenched it and placed it in a position of defence.

Yet Professor Hubbard does say,

"Of the two officers, of the same grade, and date of appointment, which would take the command? Probably the question was never raised between them.—But had it been raised, it seems to me that naturally he would, if either, who commanded severally the largest force."

I submit to the friends of Caswell, that if the fact of his having commanded rests on this reason, whether the reason on which he acted would not lower him in public estimation more than the honor of the command could elevate him?

The "record evidence" does not disclose that he acted on motives or reasons akin to those, but rather discloses that Lillington was not superseded by him in his command on the field or elsewhere.

I have thus from the "record evidence" shown that Lillington was *entitled* to command, and that the presumption that he did has not been rebutted by proof. This leaves the *inference* standing in full force and unquestioned.

I have gone a step beyond this, and shown that Caswell was not entitled to command in Lillington's District—and that there was no power present to degrade Lillington and exalt Caswell. Therefore the inference is that Caswell did *not* command.

I have gone beyond this, and proved by *"record evidence"* that Caswell *"reinforced"* Lillington; that Lillington had pre-occupied and fortified the ground; that he was thanked for his services, and elevated from a Colonel of State Militia to be a Colonel in the service of the Continental Congress.

I have gone beyond even this, and proved by Moore and Caswell, Marshall and Ramsey, that the assault was made on Lillington's entrenchments, and that he, aided by Caswell, repelled the assault and achieved the victory.

I have gone beyond all this, and claim that Jones, Wiley, Wheeler, Foote, McRee, Ashe, Davis, and Wright, all speak as with the voice of one man to the same effect: while Lossing, in his Field Book of the Revolution, who, Gov. Swain says, is "generally remarkably accurate in the statement of dates as well as facts," proves that a "professed neutral *informed Col. Lillington* of the intended movements of the enemy in the morning, and *he* and Caswell took measures accordingly."

But above and beyond all these things, I have shown conclusively that not a single letter, resolve, history, or evidence, written or oral, has been produced to show that Lillington did not command; and yet Caswell's friends are bound to prove that he did not, before they can deprive him of the presumption of law based upon his presence, right and rank. And I have shown that this position is sanctioned by the action of the Provincial Congress, which is higher authority than the evidence of any contemporaneous writer.

Having disposed of the contemporaneous "record evidence" that bears on this case, as Prof. Hubbard has referred to the fact that a child was named Caswell as a circumstance to show that Caswell did command, and to the opinion of Dr. Caruthers, based in part upon the "traditions of the country," I hope I shall be pardoned for submitting not "local and temporary tradition," but "*oral testimony*," the same kind of testimony on which the authenticity of the Mecklenburg Declaration of Independence rests, and the same kind of testimony on which nine-tenths of all the suits in our Court Houses are disposed of. Despite the attempt to be facetious at the "crowning evidence of B. in a vein which, when resorted to by Judge Gaston was disastrous to Mr. Cooper in the State Convention of 1835, I reiterate the testimony of the Hon. Wm. S. Ashe, merely stating I have his authority for saying he is correctly reported.

"The Hon. Wm. S. Ashe, declared in his speech at the first celebration of the victory, in Feb'y 1856, that he had heard Col. Ashe repeatedly say, that Lillington had fortified the place before Caswell arrived on the ground, except uncovering the bridge; that he conducted Caswall over the post and tendered to him the command, out of deference to the number of his men and his State and national reputation; but that Caswell promptly and magnanimously declined the honor, and remarked that those who had so well fortified the position could bravely defend it. That Lillington and his minute men of the Wilmington District should lead; that he with his battalion should follow whereseoever they dared to go. This arrangement gave Lillington and the Wilmington battalion the lead; but from the small number of Lillington's men, it brought Caswell, who led his own battalion, near to where Lillington commanded; and in this way, both being in the field, the Battle of Moore's Creek was fought and won."

To the same effect is the testimony of Evan Larkins, a man of high character, who has represented New Hanover, in the State Legislature, and who says, "I was born and raised in the County of New Hanover, and am 67 years of age. My grand-father William Larkins, my father John, and my uncle Benjamin, were all in that battle. I was too young to recollect my father; but frequently heard my grand-father, as well as my uncle, say, that Lillington not only had the entrenchments thrown up before Caswell arrived, but when the battle came on had the command. I never heard this honor denied Lillington until lately. I have heard many others besides those say who had the command, but more particularly recollect John Miller, a private in the battle, Benjamin and Hodge Mott, who were also privates. They always represented that Lillington had the command. I was an infant when my father died; fifteen years old when my grand-father died; and thirty-seven when my uncle died."

To the same effect is the evidence of Thomas H. Ashe, son of Col. Samuel Ashe of New Hanover.

WILMINGTON, N. C., Dec'r 2, 1857.

JAMES BANKS, ESQ.—Dear Sir:—In reply to your letter of — date, which has just come to hand, I will state that my father (the late Col. Sam'l Ashe,) was fifteen years of age when the Battle of Moore's Creek was fought, and resided with his father at the "Neck," about 15 miles from the battle-ground. He repeatedly and in the most earnest and impressive manner talked to me of the incidents of the Revolution, particularly of the above mentioned battle. The nearer his life drew to a close, the more frequent and emphatic were the recitations of those stirring events in our country's history,—often calling upon me to record facts which he had seen and heard: How careless and indifferent is youth! often have I regretted that I had not done so.

I do not remember, however, that any of the incidents of Moore's Creek were among those he desired me to make a note of; but distinctly remember on many occasions, both to myself and to others, his speaking of that event and *always* said that Lillington commanded, and in part recollect his words with regard to what occurred when Caswell arrived at the bridge: they were to this effect: "On Caswell's arrival he found Lillington entrenched at the bridge, upon which Lillington offered to yield the command to him, but with the courtesy of a gentleman or soldier (I forget which) promptly declined", saying, "Col. Lillington you have done all that a soldier could do."

He has also to the best of my recollection stated that Gen. McDonald and others stayed at his father's immediately after his defeat; that the General was very much depressed, and upon my grand-father (Gov. Ashe) trying to cheer him up, he would rave like a madman and exclaim that it was all owing to the insubordination of the Highlanders, and that one had just as well try to command so many wild cattle.

My recollections of the above statements are confirmed by other members of my father's family, with whom I have conversed. My father died in 1835. His mind and memory remained unimpaired up to the time of his death. All of his life was spent among those who had the best opportunity of knowing all about that action, particularly the early part of it. He had an uncle and several cousins in this engagement.

If any one shall doubt the authenticity or truth of this "oral evidence," or be disposed to call it a "legend," or question the "new guise but not less questionable shape in which it appears in the Fayetteville Observer," "I can only say," almost in the language of Professor Hubbard, "that no one who knows" those men "would make such a charge," and "that no one to whom" they are strangers ought to make it.

I have set down nought in malice, and nothing have extenuated or magnified. I have not assailed the name or fame of Caswell; have never denied that a ship was called after him, that he commanded armies, "was a good whig," "staunch patriot," "the lion of the South," or first Governor of the State. But I do maintain, that the wreath that belongs to the Commander at Moore's Creek Bridge is Lillington's. Caswell's share is great, and no one has more cheerfully awarded this than I. His greatness, as well as Lillington's I have ever felt was the heritage of my children in common with all the children of the State, and their estimate of neither will ever be diminished by what I write or say. Had I felt otherwise, the pure and patriotic sentiments of a descendant of Lillington, whose acquaintance I formed about a month ago, and until which time I had never been acquainted with any one who was either kith or kin to him, would have restrained me from giving utterance to those feelings.

The sentiments are so noble and so eloquently expressed, and so truthfully represent my own feelings, I hope the writer will pardon me for introducing them here:

"Deal gently with the dead. Doubtless both these men (being mortal) had many faults, let the grave cover them, and let what is immortal be their virtues. Remember they fought side by side as brothers in a holy cause. Perhaps Col. Caswell thought with Lillington it was unimportant who had the honor, so their country reaped the good." B.

A REMARKABLE BOOK.

A book has been published in New York, by John C. Hamilton, the son of the great Alexander Hamilton, the object of which is to establish that his father was not only Alexander Hamilton, the leader of the Federal party, but that he was also the real George Washington who guided the Revolution of the Colonies to a successful issue, and presided over the infant Republic for the first eight years of its existence. In other words, Mr. John C. Hamilton undertakes to show that it is a great mistake to suppose that George Washington did anything of himself for the United States, but that all his public acts connected with the trials and triumphs of the Union were originated by Alexander Hamilton, who used him as a very convenient puppet for the accomplishment of the grand and patriotic ends which Alexander Hamilton had conceived. The chief evidence relied upon to prove this startling fact is that the bulk of Washington's military and other official correspondence is in the hand writing of Hamilton, and proceeding on so small a premise, the new writer of history concludes that every letter, paper, dispatch, draught of instructions, &c, that is to be found with Washington's signature appended to Hamilton's penmanship, was really the latter's production in thought and purpose. Of course such an assumption must involve Mr. John C. Hamilton in numberless absurdities, but he cares nothing for this, and goes on to the end of the chapter magnifying the power behind the throne, till the throne itself is entirely overshadowed.

This is surely a new way of writing history. Hamilton, as we all know, was Washington's secretary for a considerable period, and was afterwards in his Cabinet, and that the correspondence of Washington should, during this period, have been in Hamilton's hand-writing, is by no means remarkable. To argue therefrom that the secretary should have all the credit which has attached to the principal, is absolutely to insult the understanding of the world. All biography must be re-written, all history must be revised and corrected, to suit such a theory. The credit of Napoleon's campaigns would thus be taken from the great Corsican, and divided among a score of individuals who wrote at his dictation; while the laurels which encircle the brow of Sir Walter Scott would be torn into many fragmentary chaplets, for the undistinguished amanuenses who committed his immortal works to paper.

In the case before us, there was indeed no occasion to assert so monstrous a doctrine to redeem a name from oblivion. Alexander Hamilton needs no such service at the hands of his son to fix his reputation upon an imperishable basis. He was a man of great and original powers; he assisted very materially in the cause of the Revolution; he participated in the glories of Yorktown, and he impressed his ideas of Government upon the country as few men have ever done since his time. The Federalist is a monument of the vigor and acuteness of his intellect. In an age of extraordinary men, illustrated in both hemispheres by conspicuous examples of mental and moral greatness—the age of Frederick and Voltaire, of Turgot and Lafayette, of Chatham and Burke—he stands out as a great, independent, representative man, and the attempt to add a cubit to his stature at the expense of the first man of all time, cannot detract from his proportions, though it must unquestionably convince the world that in intellectual development Mr. John C. Hamilton is a very unworthy son of such a sire.

Petersburg Express.

From January 1 to March 31, 1857, the Post Office Department contracted for 45,666,095 postage stamps, equal to $1,229,774 20; from April 1 to June 30, 39,559,750 stamps equal to $1,122,-385 20; from July 1 to September 30, 44,909,415 stamps, equal to $1,248,204 70. In all one hundred and thirty millions of stamps of all denominations.

MORMONISM.

As this disgusting compound of sensuality, despotism, and ferociousness, is continually thrusting itself upon public attention, it may interest some of our readers to recall the circumstances in which it originated. The calamity has come upon us as one of the results of that excessive freedom, in the exercise of which we throw open the gates of the empire to all manner of immigrants from the old world; for this anomalous population is chiefly recruited from Europe. Rev. Solomon Spaulding, a graduate of Dartmouth College, was distinguished for a lively imagination, and a love for history. He lived in a part of Ohio abounding with mounds and the ruins of old forts, and took much interest in the study of these antiquities. To beguile his hours of retirement, he conceived the idea of giving a historical sketch of the lost race, about which there was so much mystery. It was of course a fanciful undertaking, giving wide scope for the exercise of imagination, and tempting him to indulge in an antique style while describing ancient things. The Old Testament containing the most ancient books in the world, he found it convenient to imitate its style. He therefore launched out at will into the region of free historical romance. This was in 1812. His neighbors, hearing of the progress of his curious work, would come to his house, and hear portions of it read. It claimed to have been written by one of the lost nation, to have been recovered from the earth, and was christened with the title of "Manuscript Found." This self-amusing gentleman pretended to be deciphering the mysteries of the disinterred manuscript, and regularly reported progress to his neighbors. From the classics and from ancient history he introduced many uncouth and unaccustomed names, which awakened curiosity. Mr. S. removed to Pittsburg, and found a friend in the person of an editor, to whom he showed his manuscript. The editor was pleased, borrowed it, kept it, and offered to print it, if Mr. S. would make out a suitable title page. He promised also to make it a source of profit. Mr. S. declined any such use of it. Sydney Rigdon, who has since figured so largely among the Mormons, was then employed in the editor's printing office; he inspected the manuscript, and had an opportunity to copy it. It was returned to the author, who died in 1816. But the influence he had unwittingly originated, did not die with him. There is no doubt that Rigdon took a copy of the whole or parts of the manuscript. He appeared in Palmyra, N. Y., in 1828, working at his trade. About this time there began to be talk of certain mysterious "plates" being found in that region. They had been discovered, it was said, by Joseph Smith, Jr., in the bank of the Erie Canal, near Palmyra. Here Smith and Rigdon conspired to start the fraud. Smith was a man of low cunning, vulgar and sensual in his habits, a fitting accomplice for Rigdon, both being ready to execute any falsehood. Joe was to be set up as a leader, and to assume the title of *Prophet*. It was given out that Joe was engaged in translating the plates. This was in 1829. Some followers were obtained, chiefly the ignorant and vicious, and the dishonest, who had no character to lose. They called themselves the Church of the Latter Day Saints, and organized at Manchester under Joe Smith, who issued an edition of 1,200 copies of the "Book of Mormon" at Palmyra. Some three or four seemingly respectable men of that region joined them, which attracted more attention. Smith and his followers selected Kirtland, Ohio, as their "city of refuge," by inspiration, as the blasphemer said,—the Lord intending and directing that the temple should be built there. Two hundred composed the first settlement. They called their book the "Golden Bible." Smith founded a bogus Bank, which of course failed, and he found it necessary to move farther West. Thither has been the disastrous progress of these miserable impostors, whose subsequent history is known to the world. It would seem as if there was no form of folly or impiety which some human beings will not embrace. Polygamy, blasphemy, rebellion, murder, are the natural fruits of this wretched conspiracy, which is troubling the whole land. Smith was overtaken with the judgments of God, and died a miserable death. Young is probably destined to a similar end.—*Journal of Commerce.*

Marriages, Births and Deaths in South Carolina.—Dr. Gibbes, editor of the Columbia Carolinian, has our thanks for a copy of the Annual Report to the Legislature of S. C. of the number of births, deaths and marriages in that State for the year ending 31st Dec. 1856, by Robt. W. Gibbes, Jr., M. D., Registrar. The report contains a vast deal of useful and valuable information, furnished by the Tax Collectors in the different Districts. The number married in 1856 was 3,290—665 females were married under 20 years old, 156 over 25 and under 30 years; from 30 to 50 years the number decreases greatly, showing that the ladies don't stand much chance of finding companions after they are 30 years old. For the same time 94 males were married under 20 years, 716 under 25, 459 under 30, and 225 under 40, decreasing in number towards 70 years, but not in as great proportion as the females. Four males and one female over 70 years old were married.

There were 18,873 births, the largest number being in the month of August, next largest in September; smallest number in February, next smallest in March.

Whole No. of deaths for the same time, 8,810.

The above figures include whites and blacks.

Char. Democrat.

FOR SALE.

A SUPERIOR PIANO, nearly new. Apply to
C. E. LEETE.
Jan'y 7. 71-im

Office of the F. & S. P. R. Co.,
FAYETTEVILLE, Jan'y 4, 1858.

THE ANNUAL MEETING of the Stockholders of the Fayetteville & Southern Plank Road Company, will be held at the Town Hall in Fayetteville, on Friday the 15th inst., at 12 o'clock, M.
W. McL. McKAY, Sec'y.
Jan'y 5. 74-

CONSTABLE'S ELECTION.

THE undersigned offers himself as a candidate for re-election to the Office of Constable in the Town District. Election on the 6th Feb'y.
SAMUEL A. PHILLIPS.
Jan'y 7. 74te

HARD TIMES.

ALL persons indebted to the Estate of E. C. Hall, will please call at the Store of the Beaver Creek Manufacturing Company and settle their Notes and Accounts. All unpaid by 29th inst., will be placed in the hands of an officer for collection.
J. H. HALL Adm'r.
Jan'y 7. 74it29

PAINTS, OILS AND VARNISH.

A FRESH supply received by
S. J. HINSDALE.

YEAST POWDERS;
Chocolate;
Saltpetre;
Pure Potash;
Toilet Soap;
For sale by S. J. HINSDALE.
Dec'r 7. 66-

K. M. MURCHISON,
COMMISSION MERCHANT,
NO. 104 WALL STREET,
New York.
☞Usual advances on Consignments.☜

THREE DAYS LATER FROM EUROPE.

NEW YORK, Jan. 5.

The *Atlantic* has arrived, with Liverpool dates to the 23d of December. Her news is rather more cheering, than that of several previous arrivals.

Mr. Buchanan's Message is favourably criticised.

A terrible earthquake is reported as having occurred in the kingdom of Naples. It was felt with particular severity in the towns of Salerno, Potenza and Naples. Numerous villiages were partially destroyed. A despatch says thousands were killed, but this is supposed to be an exaggeration.

There is nothing later from India. The East India Company have been formally notified of the Ministry's intention to terminate the double government in India.

A much better feeling prevailed in the London money market. Discounts were readily made at 8 per cent.—a reduction of the Bank rates to that figure is anticipated.

There has been a great improvement in money matters at Hamburg.

A reduction of the rates of the Bank of France to five per cent. was anticipated.

Political news unimportant.

COMMERCIAL.

Cotton advanced from a ⅛ to ¼d. Closed firm, with a large speculative enquiry.

The Manchester market had improved.

Flour heavy at last quotations. Wheat quiet. Corn dull and unchanged, with slow sale. Rice quiet. Rosin dull at 3s. 11d. Provisions dull. Money market easier. Consols 93¼ a 93⅜ for account.

The latest from Liverpool, Wednesday, represented the markets dull and unchanged.

HARRISBURG, Jan. 6.

Pennsylvania Legislature.—The Governor's Message treats chiefly of State Finances, the Banks and the Tariff. He says the State finances are very satisfactory. During the year all the demands on the treasury have been paid for revenue derived from ordinary sources. The public debt has decreased nearly two millions in two years. He suggests a reform in the Banking system; also a modification of the tariff, giving more liberal protection to manufactures—particularly to the iron interest.

Kansas—The report, received by telegraph, and published on Monday last, of a battle between the Free State men under Gen. Lane and the United States troops, is not sustained by subsequent accounts. The reported battle must have occurred about the 21st ultimo. A despatch from Boonesville, Missouri, dated January 2d, says: "The steamer Isabella left Fort Leavenworth on Thursday, the 31st December. River full of ice; weather cold. All quiet in Kansas Territory."—*National Intelligencer.*

Operations in the Dead-Letter Office.—During the past year the number of letters containing money, which were opened in the dead-letter branch of the Post Office Department, was 8,458, and money $49,267 91, nine-tenths of which has already been safely returned to the writers of said letters.

Shipments of Flour.—The shipments of flour from Richmond to South America, during the month of December, amounted to 36,249 barrels, the value of which may be put down, in round numbers, at $250,000.

Resolutions condemnatory of the conduct of Commodore Paulding in the arrest of General Walker have been offered in both Houses of the Virginia Legislature; and resolutions calling upon the President for information have been submitted in both branches of Congress. These resolutions have all been offered by Democrats.

Oldest Clergyman in England—Probably the oldest clergyman in England (says the *Clerical Journal*) is the Rev. H. Totty, D. D., Rector of Etchingham, Sussex, who is in his 102d year. Dr. Totty has been engaged in restoring his parish church, and a few days ago witnessed the ceremony of its solemn reopening.

Dr. Merle D' Aubigne, the Genevese historian of the Reformation, took an active part in the late Berlin Convention, discoursing in three languages. According to descriptions of him, he has grown gray with age and labor, and would hardly be recognized from the current portraits. His zeal for the Evangelical cause is unflagging.

How Does he Do It?—The Cooperstown (N. Y.) Journal has the following singular paragraph:

When a gentleman is referred by a Cooperstown young lady to "her papa," he makes his proposition in the following manner:—"Sir, may I have the pleasure of leaving your daughter a widow?"—and he generally does it!

ALCOHOL AS A MEDICINE.
PHYSICIANS OF THE UNITED STATES.
WOLFE'S CELEBRATED
SCHIEDAM AROMATIC SCHNAPPS,

A Medicinal Diet Drink, of eminently salutary qualities, manufactured by himself exclusively, at his factory at Schiedam, in Holland.

It is made from the best Barley that can be selected in Europe, with the essence of an aromatic Italian berry of acknowledged and extraordinary medicinal properties. It has long since acquired a higher reputation, both in Europe and America, than any other diuretic beverage.

In Gravel, Gout, and Rheumatism, in Obstructions of the Bladder and Kidneys, and in general Debility, its effects are prompt, decided, and invariably reliable. And it is not only a remedy for these maladies, but, in all cases in which they are produced by drinking bad water, which is almost universally the cause of them, it operates as a *sure preventive.*

The distressing effect upon the stomach, bowels and bladder, of travelers or new residents, and all persons unaccustomed to them, produced by the waters of nearly all our great inland rivers, like the Ohio, Mississippi, and Alabama, from the large quantity of decayed vegetable matter contained in them, in a state of solution, is well known, as also that of the waters of limestone regions in producing Gravel, Calculi, and Stone in the Bladder. The AROMATIC SCHIEDAM SCHNAPPS is an absolute corrective of these injurious properties of bad water, and consequently prevents the diseases which they occasion. It is also found to be a cure and preventive of Fever and Ague, a complaint caused by the conjoint effect of vegetable malaria in the atmosphere, and vegetable putrescences in the waters of those districts in which it principally prevails. The AROMATIC SCHIEDAM SCHNAPPS

OBSERVER.

FAYETTEVILLE.

MONDAY EVENING, JANUARY 11, 1858.

The Rt. Rev. Bishop Atkinson is now here, on his annual visitation to St. John's Church. He preached yesterday, morning and evening, to large congregations, from the text, "What is Truth?" On the latter occasion he administered the Rite of Confirmation to 24 persons.

He will preach on this, to-morrow, and Wednesday evenings.

8TH OF JANUARY.—The anniversary of the Victory at New Orleans was observed as usual in this town by raising the National Flag over the Town House, and by the parade of the Independent and Lafayette Light Infantry Companies, who fired a National Salute.

PROFESSOR IN THE UNIVERSITY.—The Standard learns that Prof. W. S. Martin has been elected to succeed Dr. Mitchell. Prof. Martin is a native of Virginia, a resident of Pennsylvania, and was recommended to the Trustees as able and learned. There were several applicants, we learn, from this State and South Carolina.

The Democratic State Committee have appointed Charlotte as the place and April 14th the time for holding the Democratic State Convention.

COMPTROLLER'S REPORT.—The publication of the report of C. H. Brogden, Comptroller, is commenced in the last Standard. We copy the general statement of the condition of the Literary Fund and the Public Fund:

LITERARY FUND.

Balance due this fund, Nov. 1st, 1856,	$140,412 86	
Receipts during fiscal year, ending Sept. 30, 1857,	278,767 87	$419,180 73
Disbursements for same period,		300,528 53
Balance due this fund, Oct'r 1, 1857,		$118,652 20

PUBLIC FUND.

Balance due this fund, Nov. 1st, 1856,	$116,043 42	
Receipts during fiscal year, ending Sept. 30, 1857,	2,178,653 30	2,294,696 72
Disbursements for same period,		2,094,207 35
Balance due this fund, Oct. 1, 1857,		$200,489 37
Due both Funds, Oct. 1, 1857,		$319,141 57
In hands of Pub. Treas'r, "		$319,141 57

The remainder of the report is a particular statement of the items making up the above general accounts. When completed in the Standard we may make a condensed statement.

MISSISSIPPI *vs.* NORTH CAROLINA DEMOCRACY.—In looking through the long reports of Congressional proceedings, as published in the Globe, (the official paper,) we notice the following paragraph:

NEW ORLEANS RAILROAD.

Mr. Barksdale introduced a bill making a grant of land to the States of Louisiana and Mississippi, to aid in the construction of the New Orleans, Jackson, and Great Northern railroad; which was read a first and second time, and referred to the Committee on Public Lands.

Mr. Barksdale is an influential Democratic member of Congress from Mississippi. For many years he has been Editor of the Mississippian, a paper which occupies the same relation to Mississippi Democracy that the Raleigh Standard does to North Carolina Democracy. The Standard and the Mississippian are altogether harmonious, both stand together in the ranks of National Democracy. Yet this Barksdale is a wholesale land-grabber, and any N. C. Democrat who goes in with Barksdale for *his* "sheer" as well as Barksdale's, is instantly read out of the party.

THE CASH SYSTEM.—The Augusta Chronicle, after 50 days' notice, has purged its subscription list of all who have failed to pay up, and intends at an early day to publish a list of delinquents, with the amount due by each, "for their information, and to save the expense of sending their bills a second time."

We have not been so harsh towards *our* delinquents. We have within a few months past sent bills twice, to those who owed for three years and upwards, and while many have handsomely responded, some after the first, and more after the second application, there are still a number who leave us to adopt some other course.

The Columbia South Carolinian says,—

"When the fire took place in December, 1854, which swept our office and contents, and entailed upon us a heavy debt, we had on our subscription books about $17,000 due. We sent out various circulars, making the most earnest appeals to our delinquent subscribers to pay up their just debts. We sent circulars to postmasters, asking them to collect for us, and to retain as commission what they thought right. Our collections from those books amounted to about $2,000. Finding this result of the credit system to be ruinous, we decided to adopt the cash system, and to send no paper by mail unless paid for in advance. We struck from our list 1,600 names, in arrears, and we have saved a large amount of paper, press-work, gas, envelopes, labor of the mailer, &c., &c. The only regret we have in the matter is that we did not commence sooner. Some grumbling occurred, but we believe our subscribers are all reconciled to the value of the system, and our papers are now successfully conducted on the only footing for a newspaper, the Cash system."

This reminds us of what happened to another Columbia paper some years ago. It sent out an agent with a great batch of accounts, and money to pay his expenses at the outset. After the agent had been gone a few weeks, he wrote back to the editor to send him some money—he had spent what he started with, as well as the little he had collected, or could borrow. We conclude, putting this and that together, that South Carolina is not a good State in which to print a paper on the credit system.

Since the above was in type, our Collector, in sending some new subscribers to the Observer, writes as follows:

"In accordance with your late arrangement I *only* receive such subscribers as *pay in advance*. I am glad to say, that never since I commenced doing business for you has the Observer been more popular in the region of country over which I travel than at present, nor its prospects more flattering. I am inclined to believe that you will have many accessions to your list under the Cash rule during the present year."

FILLIBUSTER MANIFESTO.—Walker has addressed a letter, through the newspapers, to the President, complaining of his arrest by Com. Paulding and demanding Paulding's punishment. He says that he addressed a letter to the President in June last, giving a history of all his Nicaraguan adventures, and complaining that he had been unjustly and illegally forced to leave Nicaragua by a U. S. Naval force under Com. Davis. (The public have scarcely forgotten that Davis unfortunately took Walker and his men on board and brought them to the U. S. to save their lives, then in imminent danger.) He learns that Davis has gone unrebuked, and he now has to appeal for punishment of a higher officer.

He denies that his expedition was illegal; and justifies his denial by the fact that the U. S. Government recognised his authority in Nicaragua by receiving his Minister, Padre Vijil; that after that reception he was unjustly forced out of Nicaragua by a U. S. officer, against his protest; that on his arrival here he openly avowed his determination to go back, was unmolested by government, was allowed to sail from Mobile by the U. S. officers of that port, and received his papers from them. His arrest by Paulding followed. He denounces it as illegal, and calls upon the President "in the name of his official oath taken in the presence of Almighty God, to punish the offender and right the wrong!"

This impudent letter concludes by stating "that in all events and under all circumstances, there are duties and responsibilities from which I and the officers and men I represent will not, dare not shrink. No extreme of illegal interference, no amount of hard words or unjust epithets can deter us from following the path which is before us. The functionaries of the Government may exhaust upon us the expletives of the language; they may insult the public conscience, and degrade their own character by applying to us all the epithets their morbid imaginations suggest, but, conscious of the right and justice of our cause, we shall not relax our efforts, nor be driven into a violation of the law. As long as there is a Central American exiled from his native land, and deprived of his property and civil rights for the services he rendered us, in evil as well as good report, so long shall our time and our energies be devoted to the work of their restoration. As long as the bones of our companions in arms, murdered under a barbarous decree of the Costa Rican Government, lie bleaching and unburied on the hillsides of Nicaragua, so long shall our brains contrive and our hands labor for the justice which one day we will surely obtain. Permit your officers, if you can, to trample under foot the constitution and the laws; pass unnoticed, if you will, the most violent invasions of individual rights and public duties; treat with scorn and contempt if you choose the demands for justice which we humbly and deferentially place at your feet, we will not be cast down or dismayed. We fight for the rights of our race which have been denied us by an ungrateful and degraded aristocracy. We strive to retain unsullied the device some of our ancestors have borne on many a field, "none shall wound us with impunity." And as long as our faith in right endures, and our confidence in the God of our fathers remains unshaken, so long shall we use all just and proper means to regain what has been wrongfully wrested from us."

It is earnestly to be desired that Mr Buchanan will yield all temporizing, and take measures to end the disgraceful career of Walker and his followers. It is only a fear of the supposed fillibuster sentiment of the South West which has induced the Democracy to put up with it so long. That fear is altogether groundless. Admitting such a sentiment to exist extensively, it is yet certain that nothing can injure the Democracy permanently. A prompt, bold course, such as is pursued to Democrats who divide from their party on other subjects, will forever annihilate fillibusterism, and leave its destroyers unharmed. This last arrest of Walker is proof of this. The administration makes capital out of it, and poor Paulding suffers all the denunciation. The case would be different if Mr. Fillmore were President. He would destroy his party by such a course. But if Mr. Buchanan were to hang Walker in Washington without judge or jury, the party would say amen! so long as he has an office to bestow.

We regret to see no inconsiderable portion of the opposition press encouraging Walker indignation meetings. It is done in many cases no doubt with an idea that the fillibustering Democracy may be drawn away from the party. They will find their mistake. Fillibustering is encouraged by the Democracy only when they are out of power and seeking to gain it by uniting the various restless interests of this great country.

INDIGNATION MEETINGS.—Walker indignation meetings have been held at New York and Petersburg.

FROM KANSAS.—Reliable information has been received at Washington, that over 7000 votes were cast for the Lecompton constitution, believed to be a majority of all the voters in the Territory. A better feeling prevailed, and it was believed that Kansas would soon be admitted without difficulty.

FROM UTAH.—Johnston's and Cook's commands were at Fort Bridger on 26th Nov. Nothing was said about the army being attacked. The grass had been burnt, and animals were dying by the hundred per day. The Mormons were fortifying all the passes.

SPECIE.—The Persia, which sailed from New York on Wednesday last, took out $2,000,000 in specie. The New York banks have still enough and to spare—about $28,000,000 in their vaults.

PIGEONS.—A writer in the Salem Press says it is estimated that from 500,000 to 1,000,000 pigeons have been killed at "the Roost" in Stokes county, and that there are millions still there. Powder and shot have been exhausted in that region, and the people are calling for more.

The Wilmington Journal mentions a report that the Court House and Records of Pitt county have been destroyed by fire.

Notice.—The publication of the Herald, both Daily and Weekly, will go on as usual for the present, the management of the office being under the control of members of the family of the late Editor. A continuance of the patronage of the public is solicited, and it is to be hoped that all deficiencies will be overlooked under the circumstances of the case.—*Wilmington Herald.*

CONGRESS.

In the SENATE, on Wednesday, Mr. Crittenden's resolutions in favor of a revision of the tariff were laid on the table, after a speech from Mr. C. in their favor. Executive business occupied most of the day.

On Thursday the President responded to the call of the Senate, enclosing the Nicaraguan correspondence. He says, that while Commodore Paulding committed a great error in arresting Walker, it is quite evident that he was actuated by patriotic motives, and a desire to promote the interests of the country. Nicaragua, he says, sustains no injury by the act. She alone has the right to complain, and it is quite evident that she will never exercise that right. A warm debate ensued. Messrs. Doolittle of Wisconsin, Seward of New York, and Pearce, of Md., sustained the President. Messrs. Davis, of Miss., Crittenden, of Ky., Brown, of Miss., Pugh of Ohio, Toombs, of Geo., and Douglas, of Ill., opposed Mr. Buchanan. The matter was referred to the committee on Foreign Affairs.

T. L. Sedgwick was confirmed as District Attorney of New York in place of McKeon, dismissed.

In the HOUSE OF REPRESENTATIVES, on Wednesday, the discussion of Walker's case was continued. Mr. Siekles of N. Y. and others spoke in defence of the Administration and Com. Paulding, and against Walker. One of the speakers, Mr. Lovejoy of Illinois, thought that Com. Paulding should have hanged Walker at his yard-arm as a pirate. He thought the matter as yet improperly before Congress, and only spoke on the subject because he was "not willing that even this preliminary debate should go out to the people with no voice of protest against this idea of clothing a man with heroism, and making him a martyr, when he is simply a rascal."

On Thursday, a select committee of five was appointed to inquire into what is commonly known as the "Fort Snelling Swindle."

Both Houses adjourned from Thursday until to-day.

PRESIDENT'S MESSAGE.

The President's Message, accompanying the correspondence, &c., connected with Walker's expedition, came to hand this morning, and is appended. As will be seen by reference to Congressional summary, it gave rise to an excited discussion in the Senate.

WASHINGTON, January 7, 1858.

In submitting to the Senate the papers for which they have called, I deem it proper to make a few observations.

In capturing General Walker and his command, after they had landed on the soil of Nicaragua, Commodore Paulding has, in my opinion, committed a grave error. It is quite evident, however, from the communications herewith transmitted, that this was done from pure and patriotic motives, and in the sincere conviction that he was promoting the interests and vindicating the honor of his country.

In regard to Nicaragua, she has sustained no injury by the act of Commodore Paulding. This has enured to her benefit, and relieved her from a dreaded invasion. She alone would have any right to complain of the violation of her territory; and it is quite certain she will never exercise this right. It unquestionably does not lie in the mouth of her invaders to complain in her name that she has been rescued by Commodore Paulding from their assaults. The error of this gallant officer consists in exceeding his instructions, and landing his sailors and marines in Nicaragua, whether with or without her consent, for the purpose of making war upon any military force whatever which he might find in the country, no matter from whence they came. This power certainly did not belong to him. Obedience to law and conformity to instructions are the best and safest guides for all officers, civil and military; and when they transcend these limits, and act upon their own personal responsibility, evil consequences almost inevitably follow. Under these circumstances, when Marshal Rynders presented himself at the State Department on the 29th ultimo, with General Walker in custody, the Secretary informed him that the Executive Department of the Government did not recognise General Walker as a prisoner; that it had no directions to give concerning him; and that it is only through the action of the Judiciary that he could be lawfully held in custody to answer any charges that might be brought against him.

In thus far disapproving the conduct of Com. Paulding, no inference must be drawn that I am less determined than I have ever been to execute the neutrality laws of the U. S. This is my imperative duty, and I shall continue to perform it by all the means which the Constitution and the Laws have placed in my power. My opinion of the value and importance of these laws corresponds entirely with that expressed by Mr. Monroe in his message to Congress of Dec. 7 1819. That wise, prudent, and patriotic statesman says:

"It is of the highest importance to our national character and indispensable to the morality of our citizens that all violations of our neutrality should be prevented. No door should be left open for the evasion of our laws, no opportunity afforded to any who may be disposed to take advantage of it to compromit the interest or the honor of the nation."

The crime of setting on foot or providing the means for a military expedition within the U. S., to make war against a foreign State with which we are at peace, is one of an aggravated and dangerous character, and early engaged the attention of Congress. Whether the Executive Gov't possesses any, or what power, under the Constitution, independently of Congress, to prevent or punish this and similar offences against the law of nations, was a subject which engaged the attention of our most eminent statesmen in the time of the administration of Gen. Washington, and on the occasion of the French Revolution.

The act of Congress of the 5th June 1794, fortunately removed all the difficulties on this question which had theretofore existed. The 5th and 7th sections of this act, which relate to the present question, are the same in substance with the 6th and 8th sections of the act of April 20th, 1818, and have now been in force for a period of more than sixty years. The military expedition rendered criminal by the act must have its origin, must "begin" or "be set on foot" in the United States; but the great object of the law was to save foreign States with whom we were at peace from the ravages of these lawless expeditions proceeding from our shores. The 7th section alone, therefore, which simply defines the crime and its punishment, would have been inadequate to accomplish this purpose and enforce our international duties. In order to render the law effectual, it was necessary to prevent "the carrying on" of such expeditions to their consummation after they had succeeded in leaving our shores. This has been done effectually, and in clear and explicit language, by the authority given to the President under the 8th section of the act to employ the land and naval forces of the United States "for the purpose of preventing the carrying on of any such expedition or enterprise from the territories or jurisdiction of the United States against the territories or domain of any foreign prince or State, or of any colony, district, or people with whom the United States are at peace."

For these reasons, had Commodore Paulding intercepted the steamer "Fashion" with Gen. Walker and his command on board, at any period before they entered the port of San Juan de Nicaragua, and conducted them back to Mobile, this would have prevented them from "carrying on" the expedition, and have been not only a justifiable, but a praiseworthy act.

The crime well deserves the severe punishment inflicted upon it by our laws. It violates the principles of Christianity, morality and humanity, held sacred by all civilized nations, and by none more than by the people of the United States. Disguise it as we may, such a military expedition is an invitation to reckless and lawless men to enlist under the banner of any adventurer to rob, plunder and murder the unoffending citizens of neighboring States who have never done them harm. It is a usurpation of the war-making power, which belongs alone to Congress; and the Government itself, at least in the estimation of the world, becomes an accomplice in the commission of this crime, unless it adopts all the means necessary to prevent and to punish it. It would be far better, and more in accordance with the bold and manly character of our countrymen, for the Government itself to get up such expeditions than to allow them to proceed under the command of irresponsible adventurers. We could then at least exercise some control over our own agents, and prevent them from burning down cities and committing other acts of enormity of which we have read.

The avowed principle which lies at the foundation of the law of nations is contained in the Divine command that "all things whatsoever ye would that men should do to you, do you even so to them." Tried by this unerring rule, we should be severely condemned if we shall not use our best exertions to arrest such expeditions against our feeble sister Republic of Nicaragua. One thing is very certain, that people never existed who would call any other nation to a stricter account than we should ourselves for tolerating lawless expeditions from their shores to make war upon any portion of our territories. By tolerating such expeditions, we shall soon lose the high character which we have enjoyed ever since the days of Washington for the faithful performance of our international obligations and duties, and inspire distrust against us among the members of the great family of civilized nations.

But if motives of duty were not sufficient to restrain us from engaging in such lawless enterprises, our evident interest ought to dictate this policy. These expeditions are the most effectual mode of retarding American progress; although to promote this is the avowed object of the leaders and contributors in such undertakings. It is beyond question the destiny of our race to spread themselves over the continent of North America, and this at no distant day, should events be permitted to take their natural course. The tide of emigration will flow to the South, and nothing can eventually arrest its progress. If permitted to go there peacefully, Central America will soon contain an American population, which will confer blessings and benefits as well upon the natives as their respective governments. Liberty, under the restraint of law, will preserve domestic peace; whilst the different transit routes across the isthmus in which we are so deeply interested will have assured protection. Nothing has retarded this happy condition of affairs so much as the unlawful expeditions which have been fitted out in the United States to make war upon the Central American States. Had one-half of the number of American citizens who have miserably perished in the first disastrous expedition of Gen. Walker settled in Nicaragua as peaceful emigrants, the object which we all desire would ere this have been, in a great degree, accomplished.

These expeditions have caused the people of the Central American States to regard us with dread and suspicion. It is true policy to remove this apprehension, and to convince them that we intend to do them good, and not evil. We desire, as the leading Power on this continent, to open, and, if need be, to protect every transit route across the Isthmus, not only for our own benefit, but that of the world, and thus open a free access to Central America, and through it to our Pacific possessions. This policy was commenced under favorable auspices, when the expedition, under the command of Gen. Walker, escaped from our territories, and proceeded to Punta Arenas. Should another expedition of a similar character again evade the vigilance of our officers and proceed to Nicaragua, this would be fatal, at least for a season, to the peaceful settlement of these countries, and to the policy of American progress. The truth is, that no Administration can successfully conduct the foreign affairs of the country in Central America, or any where else, if it is to be interfered with at every step by lawless military expeditions "set on foot" in the United States. JAMES BUCHANAN.

FOR THE OBSERVER.

MESSRS. EDITORS: You are aware, that the annual Address before the Richmond County Agricultural Society, was delivered by Dr. John Malloy. The address was highly commended by all who heard it, and the Society were so well pleased, that they passed some resolutions thanking Dr. Malloy and appointing a committee to solicit a copy for publication.

We are sorry to state, however, that Dr. Malloy politely, yet positively declined complying with our request.

This we deeply regret, as the address was an admirable one, and well worthy of a wide circulation. RICHMOND.

MARRIED,

In Robeson County, on the 24th ult., by Roderick D. McNeill, Esq., Mr. DANIEL R. McLEOD, to Miss BARBARA ANN McLEOD.

In Washington, on the 22d ult., by Rev. Edwin Geer, GEO. JOYNER, Esq., of Pitt County, to Miss LOUISA A. BLOUNT.

In Richmond County, on the 24th ult., by the Rev. Hector McNeill, Mr. JOHN McKAY to Miss MARGARET J. McNEILL daughter of Maj. John McNeil.

In Moore County, on the 22d inst., by John T. McIntosh, Esq., Mr. NEILL McKINNON to Miss ELIZABETH, daughter of John H. Stutts, Esq.

DIED,

In Salisbury, on the 31st ult., Mrs. ELIZABETH COWAN, relict of the late Thomas J. Cowan, aged 76 years.

In Randolph county, on the 20th ult., of pneumonia, after an illness of three days, DAVID TYSINGER, son of Henry and Margaret Tysinger, aged 16 years and 10 days.

COMMERCIAL RECORD.

ARRIVALS.

Lutterloh's Line.—Jan'y 9th, Stmr Magnolia, 10th, Stmr Fanny, with passengers and goods.

PORT OF WILMINGTON.

ARRIVALS.

Jan'y 6.—Schr Jane N Baker from Langua. 7.—Schr Charles Fox from Bartonsville. 8—Schr Dorcas Ireland, Baker, from Charleston.

TEAS.

FRESH GREEN and BLACK TEAS for sale by S. J. HINSDALE.

At a meeting held in the office of the Town this day 7 o'clock, P. M., 9th Jan'y 1858,

Arch'd McLean, Esq., Mayor elect, appeared and took the oath prescribed by law, before J. P. Leonard, Esq.

The following gentlemen appeared, took the oath prescribed by law, as Commissioners, and their seats, viz:

Jas. Sundy,	Ward No. 1.
E. L. Pemberton,	" 2.
Jas McGilvary,	" 3.
A. A. McKethan,	" 4.
Wright Huske,	" 5.
Wm. Warden,	" 6.
	" 7.

Ordered, that Isham Blake, Esq. be allowed the am't of his bill for stand for orator of $5.

Ordered, that a committee of three, consisting of Messrs. Huske, McKethan, and Warden, be appointed to make arrangements for a more comfortable office for the meeting of the board, and report to the Mayor, who shall notify and confer with the board for their concurrence in the arrangements.

Further ordered, that said committee notify G. Deming, Esq. that the board may vacate this office, if other arrangements are made.

Wm. Warden, Esq. was duly elected Town Treas'r.

Messrs. McLean, Huske and McKethan appointed a committee to have fire Engines repaired.

Ordered, that S. J. Hinsdale, Esq. be allowed the am't of his bill for fluid, for $56 90.

Ordered, that an election be held by the board on Saturday evening next, at 7 o'clock, for the following officers, viz:

Tax Collector, 4 per cent. commissions.
Special Justice, fees.
Town Constable and Street Com'r, salary $525.
Standard Keeper, fees.
Clerk of the Market and Weigh Master, salary $250.
Keeper of the Town Clock, " 35.
Sexton to Grave Yard, " 50.
Keeper of the Powder Magazine, half fees.
Four men to serve as Town Guard, to be elected quarterly, salary $50 per quarter.

Adj'd. From the Minutes. W. G. MATTHEWS, Cl'k.

FAYETTEVILLE MARKET.—January 11.

BACON—	15 a 00	LARD,—	14 a 00
COTTON—		MOLASSES—	
Fair to good,	8¾ a 0	Cuba	35 a 00
Ordin to mid.	8¼ a	N. Orleans,	00 a 00
COTTON BAGGING—		SALT—	
Gunny,	20 a 00	Liv. Sack,	1 25 a 00 0
Dundee,	18 a 00	FLAXSEED	1 10 a 0 00
FLOUR—		N. C. SPIRITS—	
Family,	5 25 a 5 40	P. Brandy,	1 25 a 00
Super.	5 00 a 5 20	Apple do,	1 00 a 00
Fine,	4 75 a 5 00	Whiskey,	50 a 55
Scratched,	4 50 a 0 00	WOOL—	00 a 00
GRAIN—		TURPENTINE—	
Corn,	0 00 a 0 75	Yellow dip,	1 65 a 0 00
Wheat,	1 00 a 1 10	Virgin,	1 65 a 0 00
Oats,	50 a 0	Hard,	90 a 0 00
Peas,	1 00 a 0 00	Spirits,	32 a 33
Rye,	1 00 a 0 00		

REVIEW OF THE MARKET.

Cotton—The advance noticed on Thursday was fully sustained, although the advance was rather more than the news justified.

Flour—No change worthy of notice.

Corn—Quite firm.

Molasses—The new crop has made its appearance in market and is very fine. No change in price.

Pork—The first drove for this market came in yesterday, and sold at 10 cents.

Corrected by JAMES G. COOK.

WILMINGTON MARKET—Jan'y 9.

No transactions in Turpentine, Rosin or Tar. Spirits have advanced a shade; the Journal notes sales of 300 bbls. at 35½, 100 at 36, and 50 at 37. Super State Flour 5 75. Sale of 1 raft of Timber at $7.

At Charleston, cotton 7 to 9¼—before the Atlantic's news.

At New York, Southern flour steady at 4 50 to $5 for mixed to good; fancy 5 10 to $6. Southern wheat, red, 1 15, white 1 25 to 1 30. Middling upland cotton 9¼, with firm feeling and holders asking higher. Spirits firm at 38.

At Cheraw, for the week ending Tuesday last, the Herald reports sales of 165 bales of cotton at 7 to 8 1-5. The Niagara's news caused a decline, and buyers were scarce on Tuesday. Flour $5 to 5 50. Pork, none on market.

NOTICE.—From and after this date no name of a new subscriber will be entered on our list without payment in advance, nor will the paper be sent to such subscribers for a longer time than is paid for.

Such of our old subscribers as desire to take the paper on this system will please notify us when making remittances. We hope thus in a few years to have our whole list advance paying. January 1, 1858.

BANK STOCK FOR SALE.

UNDER power vested by a Pledge executed to the Bank of Cape Fear, by the late Dr. Benjamin Robinson, and by the request of the Adm'r of said Robinson, the subscriber will sell to the highest bidder, for CASH, in the Banking Room of said Bank, at Fayetteville, on Thursday the 4th day of February next, FIFTY-THREE SHARES of the Stock of said Bank, or so much thereof as may be necessary to pay the indebtedness for which said stock is pledged.

ARCH'D McLEAN, Cash'r.

Jan'y 8, 1858.

ADMINISTRATOR'S SALE of BANK STOCK.

THE subscriber, as Administrator of the late Benjamin Robinson, dec'd, will sell at the same time and place, above named, on a credit of six months, the residue of the above Fifty-three Shares of Stock of the Bank of Cape Fear.

B. R. HUSKE, Adm'r of Benjamin Robinson, dec'd.

Jan'y 8, 1858. 75ts

MARBLE, ALABASTER, AND AGATE STATUARY,

BOHEMIAN GLASS-WARE, CHINA, &c.

AT AUCTION.

THE largest and most magnificent sale of elegant and costly Marble and Alabaster Statuary, Bohemian Glass Ware, French, China and Fancy Articles ever offered in this place in the

Upper Tenement of the Fayetteville Hotel,

AT 3 O'CLOCK, P. M., ON TUESDAY THE 12TH INST.

The sale will consist in part of Vases, a large assortment of Bardiglis Agate, Yellow Sienna, Etruscan Medicis, Hebe, and Roman Vases, suitable for the decoration of Parlors, Halls, Niches, Drawing Rooms, Mantel Pieces, Libraries, &c.: Open Work Vases for flowers, Vestal Temples, Card Receivers, Florentine Open Work Baskets, Candle Sticks, and Paper Weights, &c.; Bohemian and Venetian Glass Ware from the Royal Manufactures of Prague and Venice, consisting of Gothic Antique Vases, Goblets, Pitchers, Perfumes, Coffee Cups, &c. Also,

English Silver-Plated Castors, &c.

The above goods have been imported from Italy, France, Bohemia, and other countries, and never have been exhibited in any other market. It is confidently believed that the tasteful, curious and economical have not had so desirable an opportunity of obtaining articles of elegance, ornament and utility. Signor Pandolfini is determined to sell every article without the least reserve.

The room will be open for exhibition on Monday the 11th inst., when ladies and gentlemen are respectfully invited to call and examine.

Sale will take place by Catalogue, and every article sold without reserve.

Articles for the country will be packed with care at the expense of boxes.

The sale will be continued at early candle light.

Ladies and gentlemen are invited to attend the sale.

C. E. LEETE, Auct'r.

Jan'y 9. It

FAYETTEVILLE HOTEL.

FRANK N. ROBERTS & CO., having leased this Hotel, will be pleased to see their former patrons and friends, assuring them that they will use every exertion to please.

F. N. ROBERTS.] [J. G. SMITH.

Jan'y 7. 74-ypd

YEAST POWDERS

FOR sale by S. J. HINSDALE.

1858.

INTENTIONS FOR SPRING.

ALREADY our orders are in the hands of Manufacturers for upwards of One Hundred Dozen of the justly celebrated and widely known

"YOKE-SEAM" SHIRTS.

The styles introduced for the Spring and Summer trade will be entirely new, and cannot fail meeting the taste of any. Persons living at a distance can be fitted exactly by sending with their orders the following measures:—

Size Round the Neck,
" " Wrist,
" " Breast,
" " Waist;

Length from centre of back to shoulder, elbow and hand; and any other particulars as to *with* or *without* collars, and whether *turn-down* or *standing* collars, narrow or broad plaits, &c.

Orders for Shirts and Collars will be promptly attended to at

BALDWIN'S
CITY CLOTHING & FURNISHING STORE,
38 MARKET STREET,
Wilmington, N. C

Jan'y 8. 75-16w

Presbyterian copy inside 6 weeks and send bill to Observer.

CAMP HILL MALE INSTITUTE.

THE first Session of this Institution will commence on the 2nd Monday of Jan'y 1858. This Academy is located in the lower portion of Moore County, the neighborhood of Lick Creek, the settlement is exceedingly healthy, the citizens moral and good farmers, being a very desirable locality, the subscriber hopes to merit a liberal patronage from abroad as well as from the neighborhood. Parents and guardians sending to this institute may rely upon my undivided attention to advance the students in their text books. Another chief design is a moral training. The School will be conducted in the school house at the Poplar Springs, until the new Academy is in a condition to go into, which is now being pushed to a speedy completion and supposed will be finished in eight weeks. As many as may come from abroad can get board within a mile and a half of the Academy, in the most respectable families; board of the first quality not higher than $6 per month.

Terms of tuition, per session of 20 weeks, $7½ for English Elementary; $10 for Reading, and writing, and Emerson's first part; $12 50 for English Grammar, Geology, and Emerson's higher Arithmetic; $15 for Latin, Greek, and the higher branches of Mathematics. For information, address the subscriber, Long Street, Moore County, N. C.

WILLIAM RHODES, Principal.

Jan'y 9, 1858. 75-tf

COOL SPRING MILLS.

THE Proprietors are prepared to GRIND CORN on the usual terms.

The Bedstead Manufacture is still carried on at the same place.

Jan'y 11, 1858. 75-tf

HORSE-SHOEING
ON A NEW PLAN.

THIS is indeed the age of improvement, and Fayetteville is not entirely behind that age in all things. The proof of that is, M. A. Baker has opened a HORSE-SHOEING ESTABLISHMENT in the next building to his Gun Manufactory, where he will carry on the business under his own management, assisted by first class workmen in that line. He has adopted the plan of shoeing horses with stockings, which plan has been so successfully adopted in the English army for many years. It is found by shoeing on this plan that horses will never get lame by travelling. In this country of plank roads, every one must acknowledge, who will take time to reflect on the subject, that the plan he has adopted will be of great benefit to any person using horses. No extra charge made for the improvement.

Try me once and you will never regret it.

☞ Blacksmith work of all kinds will be done in the best manner and for a small charge.

Call and try for yourselves.

M. A. BAKER.

Jan'y 11, 1858. It

VALUABLE LAND FOR SALE.

THE Subscriber will sell at public Auction, at the Court House, in Elizabethtown, on the first Monday of February next, a Tract of LAND, recently the property of Archibald Smith, lying on both sides of Turnbull Creek, about seven miles from Cape Fear River, containing 440 Acres.

It is well Timbered and has a good site for a Saw Mill upon it—the stream affording a larger and more uniform supply of water than any other in the county, with easy water carriage for all kinds of produce to the River.

Terms—Ninety days credit, for an appoved negotiable note.

H. H. ROBINSON.

Elizabethtown, Jan'y 5, 1858. 75*2w

16 LIKELY NEGROES FOR SALE.

THE Subscribers, as Administrators of Nelson Harris, dec'd, will offer at public sale to the highest bidder, on the 26th of Jan'y, 1858, at the late residence of Nelson Harris, in Montgomery County, SIXTEEN LIKELY NEGROES, consisting of Men, Women, Boys and Children. Also, all the personal estate of the said dec'd. Terms of sale, six months credit with bond and good security.

FURTHER NOTICE.

ALL persons indebted to said estate, are hereby notified to make immediate payment and settlement, as longer indulgence cannot be given. All persons having claims against said estate will present them for payment within the time prescribed by law, or this notice will be pleaded in bar of their recovery.

THOS. L. COTTON, } Adm'rs.
PARSON HARRIS, }

Jan'y, 1858. 75-2t

$50 REWARD.

THE Subscribers, as Adm'rs of Nelson Harris, dec'd, offer a reward of FIFTY DOLLARS for the apprehension and delivery of a Negro Boy named WADE, to us at Harrisville, Montgomery county. Wade is about 30 years old, of a dark mulatto color, is about six feet high. Said boy ranaway from the dec'd about the 1st June 1857, and is supposed to be lurking in the counties of Davidson, Randolph, Stanly, or in this vicinity.

THOS. L. COTTON, } Adm'rs.
PARSON HARRIS, }

Jan'y 4, 1858. 75-tf

WEAKNESS OF THE STOMACH AND INDIGESTION.

Another Great Cure effected by Boerhave's Holland Bitters.

The wife of PIETER DE WITTE, living in Holland Town, Sheboygan county, Wisconsin, suffered much from *Weakness of the Stomach and Indigestion.* She had been under a physician's care for some time, but the disease seemed to baffle even his skill. She purchased some HOLLAND BITTERS at our office, which has given tone to her stomach; her appetite and strength are returning, and we firmly believe that this is another great cure effected by your medicine.

We have still to record many wonderful cures effected by this remedy, but must wait another opportunity. One thing you can rely upon, what we have published are from persons much respected in our community, and are literally true.

J. QUINTUS,
Ed. Sheboygan Nieuwsbode, Sheboygan, Wis.

Jan'y 9. 75-2tpd

RICE STRAW.

BALES OF 200 LBS. EACH, at 80 cents per 200 lbs., from the Plantation of Mr. James Moore, convenient for delivery to Steam Boats running on the Cape Fear River. Apply to

DeROSSET & BROWN,
Wilmington, N. C.

Dec. 14th, 1857. 74-1m

NOTICE.

ALL persons indebted to the Estate of William Blount, deceased, by Notes executed to said William Blount in his life-time, to Joseph Thompson and Charity Blount his Administrators, at the sale of the Personal Property of said Estate, made on the 19th and 20th March last, and to Joseph Thompson, Guardian, for the hire of slaves; are notified that I am directed to bring suit on all remaining unpaid on the 20th inst. R. S. FRENCH.

Lumberton, Jan'y 6. 74-4t pr. 1 50

SECOND STOCK!
STARR & WILLIAMS

ARE now receiving THEIR SECOND STOCK FOR THIS SEASON, embracing,—

Dry Goods,
Hats, Boots, Shoes,
and Made-up Clothing,

which they invite the attention of Wholesale buyers generally.

B. STARR.] [J. M. WILLIAMS.
Oct'r 6, 1857. 49-tf

FALL 1857.
New and Cheap Goods!
JAMES KYLE

IS now receiving a large and general supply of Dry Goods, among which are splendid Dress Goods, with every article in the Dry Goods line. All of which, being purchased by the package, will be offered by wholesale or retail at a small advance for cash or on time to punctual customers.

Fayetteville, Sept'r 26, 1857. 46-tf

New Stock of
BOOKS AND STATIONERY.

WE are now receiving our usual New Stock of Books and Stationery, embracing a great variety of

School, Law, Medical and Miscellaneous Books.

Together with a large and varied Stock of BLANK BOOKS, PAPER, ENVELOPES, &c.

Country Merchants and others are invited to call as we offer the above stock on the best terms.

E. J. HALE & SON.

Sept'r 28.

Groceries, Hardware, &c.

THE undersigned are now receiving a LARGE ASSORTMENT of

Groceries, Hardware, Iron, Steel, Hollow-ware, Shoes, Leather, and Saddlery,

which they will sell at Wholesale at a small advance on Cost for Cash, or on our usual time to prompt dealers.

GEO. W. WILLIAMS & CO.

July 18, 1857. 26-tf

FRESH ARRIVALS!

THE subscriber takes this method of informing the citizens of Fayetteville and public generally, that she has just received and added to her former stock,—

LAYER RAISINS, whole, half and quarter Boxes; Prunes in Glass Jars; Currants; Citron; Almonds, Brazil, Butter, Cocoa, Pecan, and English Walnuts; West India Preserves; Salmon; Lobster; Sardines; Pickled Oysters; Sauces; and

Pickles of all kinds.

—ALSO—

Butter, Boston, Cream, Sugar, Lemon, Cup, Fancy and Soda Crackers; English Dairy and New York State Cheese; and a few firkins No. 1 Goshen Butter; which she will sell low for CASH ONLY.

M. BANKS, Green Street.

Nov'r 21. 62-2m

Argus copy.

I. M. SINGER'S
SEWING MACHINES.
Admitted to be THE BEST and MOST DURABLE Machine made.

THE Subscriber has taken an agency for the sale of these Machines, and having used them for 18 months, can say there can be no doubt that every family or planter, having from 10 to 15 persons to clothe, will find them very profitable: a good operator being able to do as much and as good sewing with this Machine in ONE day as can be done by hand in TEN.

Persons wishing to purchase can see two of these machines in use at my factory

Circulars giving full description and prices will be furnished gratis on application. Orders splicited.

A. A. McKETHAN, Agent.

Dec'r 26, 1857. 71-3m

UNDERTAKERS.

THE subscribers offer their services to the public to furnish Coffins, Hearse, and every other requisite for Funerals. They have a considerable supply of Coffins ready made, and an abundant supply of Mahogany, Black Walnut and Gum and Poplar materials for making any size at a short notice. Orders left at the Cool Spring Mills will be promptly attended to.

HEARSEY & JOHNSON.

Fayetteville, June 29, 1857. 20-tf

BUTTER! BUTTER!! BUTTER!!!

1000 LBS. MOUNTAIN and GOSHEN BUTTER. For sale low for CASH by

P. A. WILEY.

Dec. 24. 71-tf

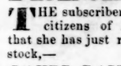
LOST,

LAST Saturday, 31st ult, (during the hours of parade,) about the Court House, or between the Court House and the Fair Ground, a small yellow leather Pocket Book, containing $59, consisting of three $10 bills, three $4 do., one $5 bill, one $5 gold piece, three $2 50 gold pieces. A Reward of $10 will be given for the above described Pocket Book and money, delivered to the undersigned.

JAS. H. JACKSON, Musician.

Fayetteville, N. C., Nov. 2, 1857. 56tf

D. W. C. BENBOW, D. D. S.,



MAY be found at his Rooms, during his regular office hours, viz: from

9 A. M. to 1 P. M.,
3 P. M. to 5 P. M.,

where he will be pleased to receive calls from all who may be in need of his professional services.

No inducement will be held out by offering to perform operations for a small compensation: a good price will be charged in all cases. And patients favoring Dr. B. with their confidence, may rely upon his utmost exertions to perform every operation in as perfect a manner as possible.

☞ *All operations must be paid for as soon as completed.*

P. S. Those who are now indebted will please call and settle.

Oct. 14. 51-tf

FOR SALE.

A DAMANTINE and TALLOW CANDLES; fine and common TOBACCO; and almost anything in the Grocery line. Cheap as the cheapest!

G. W. I. GOLDSTON.

Jan'y 27, 1857. 77-

GUANO.

50 TONS BEST PERUVIAN GUANO, just received and for sale by

GEO. W. WILLIAMS & CO.

Aug. 31. 38-

BOOK BINDERY.

R. W. HARDIE has resumed the Book Binding Business, over the Tailor Shop of Clark & Woodward, where he will receive and execute binding in any style desired.

August 1. 27tf

NOTICE.

ALL persons indebted to us either by Note, or Account, are earnestly requested to call and pay up, by the 1st of January.

After the 15th of January, we intend to resort to more reliable means than dunning for the collection of amounts due us.

D. & W. McLAURIN.

Dec. 10, 1857. 67-

SELECT CLASSICAL SCHOOL.

THE next Session of the Oxford Grammar School, will commence on the Second Monday in Jan'y.

J. H. HORNER, Principal.

Oxford, N. C., Dec. 3rd, 1857. 65-tS

Fresh Layer Raisins; Mackerel, No. 1 and 2, Half Bbls. For sale by

C. T. HAIGH & SONS.

Nov. 30. 64-

Blanks for sale at this Office.

J. T. HOUSTON,
(Successor to J. N. Beasley in the Watch and Jewelry Business,)

RESPECTFULLY calls the attention of the ladies and gentlemen of Fayetteville, and his friends at a distance, to this fact, and begs an acceptance of thanks for their patronage to the late firm, Beasley & Houston; he will conduct the business in his own name, determined to earn a liberal patronage by correct dealing with all who will favor him with their custom. He has now for sale a large stock of fine

Gold and Silver Watches and Jewelry,
of the latest styles out;
Silver Spoons, Forks, Cups, &c., Fine Cutlery, Gold Pens, Surveyor's Compasses and Instruments, Walking Canes, Fine Violins, Flutes and Accordeons, Fine Double Guns, Colt's and other Pistols, Caps, &c., &c., &c.

☞ Watches and Jewelry carefully repaired; Accordeons correctly tuned; and Engraving handsomely executed by J. T. HOUSTON.

Oct'r 20. 53tf

FALL STOCK, 1857.
B. F. PEARCE & Co.,

ARE now receiving a large and well selected stock of **DRY GOODS,** consisting in part of:

Black and Figured Silks;
English and French Merinoes;
Plain and Fig'd DeLanes;
French all wool Plaids;
Alpacas of all qualities;
Black Bombazine;
English, French and American Prints;
Chenille Shawls, (beautiful patterns;)
Ladies' Cloaks of every description;
Jaconet Edgings and Insertions;
Collars and Undersleeves;
Hosiery, Gloves, Belts;
Ribbons, Trimmings, &c.;
Cloths and Cassimeres;
Tweeds, Jeans and Sattinets;
White and Colored Flannels;
Bleached and Brown Shirtings;
Allendale 10-4 Sheeting;
Bleached and Brown Drillings;
Plaid Linseys and Kerseys;
Marlboro' Stripes and Plaids;
Brown and Bleached Table Cloths;
Towellings of all kinds;
Negro Blankets;
Extra quality Bed Blankets;
Spiral, Brass and Whalebone Hoops;
Good assortment of Hoop Skirts;
Yankee Notions of every variety, kind, and quality;
Silk, Leghorn and Straw Bonnets;
Moleskin, Cassimere and Wool Hats;
Boots, Shoes, Umbrellas, &c.

—ALSO—

A large and fashionable stock of

Ready-Made Clothing,

All of which will be sold low for CASH, or on our usual time to punctual customers either at *Wholesale* or *Retail*. All persons are respectfully invited to give us a call.

B. F. PEARCE. J. W. PEARCE, Jr.

Sept. 7, 1857. 40tf

FOR THE FALL & WINTER 1857!
JUST RECEIVED!

(Call soon, secure a good bargain and save money.)

ONE OF THE LARGEST, HANDSOMEST AND CHEAPEST STOCKS OF

Boots and Shoes,

LADIES' GAITERS, SATIN and COLORED;
LADIES' and GENTS' DANCING SHOES, of a new and beautiful pattern;
YOUTH'S and CHILDREN'S BOOTS, SHOES and GAITERS;
INDIA-RUBBER SHOES, and every article in his line.

His stock is choice and carefully selected by himself, and buyers will find it to their interest to call before purchasing elsewhere. M. FAULK.

Oct'r 8, 1857. 51-tf

☞ All who have lost their soles, come forward, and they will be renewed for Seventy-five cents and upwards. M. F.

SELLING OFF AT COST TO CLOSE.

WE will commence this MONDAY, the 30th of November, to sell our entire

STOCK OF DRY GOODS, CLOTHING, HATS, SHOES, &c.,

AT COST

FOR CASH.

C. J. & R. H. JONES.

Nov. 28, 1857. 64-

JOHN HALL,
Commission Merchant,
43½ NORTH WATER STREET,
Wilmington, N. C.,

WILL sell Cotton, Naval Stores, and Breadstuffs, for a Commission of one per cent. Cotton and Spirits Turpentine forwarded to Northern Ports for five cents per bale and cask; other Naval Stores 2½ cts. per barrel.

REFERENCE.—E. P. Hall, Prest. Br. Bank of the State of N. C.

Nov. 24. 64-3mpd

COTTON BAGGING.

DUNDEE and GUNNY BAGGING in quantities to suit purchasers. For sale by

JAS. G. COOK.

Sept. 17. 43tf

TANNER'S OIL & DRY HIDES.

20 BBLS. Tanner's Oil,—a superior article; also, a fine lot of Dry Hides. For sale by

JAS. G. COOK.

Nov. 28. 62-

NEGROES WANTED.

THE undersigned will pay the highest cash price for YOUNG NEGROES. Letters addressed to either of us at Laurinburgh, Richmond county, will have prompt attention.

D. C. McLAURIN,
DANIEL M. McLAURIN.

Laurinburgh, Dec. 26, 1856. 68tf

ALMANACS.

THE Farmers and Planters, and Turner's North Carolina Almanacs for 1858.

E. J. HALE & SON.

Oct'r 24.

ALUM SALT.

500 BUSHELS Rock AlumSalt, for sale low by

P. TAYLOR.

Nov. 10. 59-2m

LAW BOOKS.

SEDGWICK on the Statutory and Constitutional Law; Chitty on Pleading; Newland on Contracts; Phillipps and Amos on Evidence; Stephen on Pleading; Mitford's Chancery Pleadings; Hill on Trustees; Lube's Equity Pleading; Adams's Equity, &c.

E. J. HALE & SON.

$50 REWARD

WILL be given for the apprehension and delivery to me, or confinement in any jail in the State so that I can get him, of my man JIM. He left on the 20th ult., and has not been seen, or heard of since. He is a bright mulatto, almost white, about 23 years old, about 5 feet 9 inches high, straight hair, and teeth defective, long beard on his chin when he left. Had on when he left a very good suit of clothes, and will very likely try to pass off for a white man, and make for a free State; should he not go north, he will likely go up in the vicinity of Fayetteville, as he was raised there, and formerly belonged to Wm. B. Wright, Esq., of that place. Any person who may take up said Boy will be entitled to the above reward and the thanks of

ISAAC B. KELLY

Kenansville, N. C., Aug. 13, 1857. 33-tf

DWELLING FOR SALE.

THE Subscriber wishes to sell the large Dwelling and Lot on the corner of Gillespie and Russell Streets, at present occupied by Mr. Henry Erambert. Terms reasonable.

E. J. HALE.

THE WARSAW HOUSE

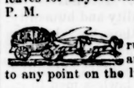
IS NOW OPEN, and the subscriber solicits the patronage of the travelling community and the public in general. Every exertion on his part will be used to render them comfortable during their sojourn with him. His table will be always supplied with the best the market affords.

His bar will be furnished with the best Liquors that can be bought.

He has spacious Stables, and careful Ostlers in attendance at all times.

Passengers going North can buy through tickets to Weldon, from the Agent at the Fayetteville Hotel, returning can buy tickets at the W. & W. R. R. Office at Weldon.

Passengers stopping at the Warsaw House can have their baggage carried to and from the Rail Road. The Stage arrives at Warsaw at 1½ o'clock, A. M., and leaves for Fayetteville on the arrival of the cars at 7½ P. M.



I have also a Daily Stage line running to Kenansville, packages and small boxes will be forwarded to any point on the line.

N. FREDERICK, Proprietor.

STAGE AGENTS.—J. H. Roberts, Fayetteville; G. W. Atkins, Clinton; J. B. Southerland, Warsaw; John Campbell, Weldon; Isaac B. Kelly, Kenansville.

Nov. 6, 1857. 63-*6m

6,500 ACRES OF LAND FOR SALE.

THE Subscriber desiring to move to the West offers to sell the following tracts of valuable land.

1 Tract containing 2566 acres in Harnett County 18 miles North of Fayetteville. There is on this tract, two large and comfortable dwelling houses, with all necessary outhouses, together with a good mill running two saws and grist, with about 300 acres cleared and in a high state of cultivation; the remainder is excellent farming and turpentine land.

Also another tract containing 4000 acres of turpentine land, about 100 acres of which is cleared. There is on this tract one good dwelling with all necessary out houses and a good grist and saw-mill.

I will take pleasure in showing the above property to any person wishing to purchase.

H. S. McNEILL.
Manchester P. O.

Nov. 7th, 1857. 67-ts

TRUST SALE.

BY virtue of a Deed made by John W. Weisiger to the subscriber, I will sell at the Market House in Fayetteville, on the 14th January 1858, the HOUSE and LOT formerly occupied by the said J. W. Weisiger, joining G W. McDonald and others, containing seven and one-fourth acres.

Terms of sale: $350 cash, balance six months credit for satisfactory note payable at bank.

JAS. G. COOK, Trustee.

Dec'r 8, 1857. 67-

2,800 Acres of Land
FOR SALE.

THE Subscribers offer for sale the above Tract of Land, lying on Anderson's Creek, about two and a half miles from lower Little River, near Elliot's Mills,—including about One Hundred Acres of good Swamps, which can be easily drained. This Land is very heavily timbered, and a large portion level and of superior quality of Pine Land for cultivation.

Also, a Circular STEAM SAW-MILL, in complete order and well adapted to sawing plank road and rail road timbers. Also, Two well-broke MULES.

All, or any portion of which, will be sold low and on time. The Land will be sold either in a body or in parcels to suit. SMITH & ELLIOT.

April 6, 1857. 97-tf

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690 ACRES OF LAND
FOR SALE.

THE Subscriber offers for sale the above quantity of Land, situated in a healthy neighborhood, three miles from the Wilmington and Charlotte Rail Road, and four from Lumber River. This Land is well adapted to Farming, Turpentine, and Ton Timber purposes, having a good range and other advantages. Those wishing to purchase may find me on the premises, who will be happy to exhibit it or give any information concerning it desired.

ANGUS McGILL.

Philadelphus, N. C., Sept. 1, 1857. 40tf

FARM FOR SALE

I OFFER for sale my PLANTATION on the East side of Cape Fear River, 3 miles above the Clarendon Bridge, known as the Toomer Lands, containing about 800 acres. The Plantation is in a good state of cultivation, and is susceptible of being made one of the most profitable Farms in the County. I will give a bargain in the lands, and make the time of pay most easy if application is made in a few weeks.

Address me at Gulf, N. C.

J. L. HAUGHTON.

Oct'r 16. 52-

LAND FOR SALE.

1250 ACRES LAND lying on the Camden Stage Road, 15 miles South of Fayetteville. The Land is well timbered, and admirably adapted for Turpentine or Farming purposes; and lies between the Southern Plank Road and Big Rockfish, —convenient to market. There is on it a comfortable frame House, Mill Site &c.

Any information may be obtained on the premises from Mrs. Mary Nelson, or by enquring of

JAMES BANKS, Att'y,
Fayetteville.

Aug. 13. 33-tf

FOR SALE.

THE DWELLING HOUSE AND LOT on Gillespie Street, at present occupied by Doctor McSwain. Perfect title can be made. Apply to

THO. J. CURTIS.

ALSO

A GOOD FAMILY CARRIAGE in good repair and nearly new. Will be sold for half its value.

—ALSO—

3 good MILCH COWS with young calves. Apply to

T. J. CURTIS.

April 29, 1857. 3tf

NOTICE.

BEING desirous to remove South, I offer for sale 500 acres of LAND, on the Stage Road from Fayetteville to Clinton, 12 miles from Fayetteville, (at the stage stand.) The Land is good Turpentine land, as good FARMING Land as any in this section.

For particulars address the subscriber at Blocker's Post Office N. C.

G. W. BULLARD.

Nov. 17, 1857. 61-tf

LANDS FOR SALE.

I OFFER for sale about 6000 Acres of Pine Lands near Fayetteville, containing an immense quantity of Mill Timber, and a number of Turpentine Boxes, and several new tasks may be cut. There is on the premises a fine Dwelling House, and all necessary outhouses,—Scuppernong and Isabella Grape Vines,—1000 young Peach and Apple Trees of Lindley's best varities; also, a good FARM of about 150 acres cleared; and also a GRIST and SAW MILL; and a fine large Meadow of about 140 acres. The Fayetteville and Coal Fields Rail Road passes through these lands about a mile from the Mills. I will sell in parcels to suit purchasers, but would prefer to sell the whole together. Apply to Thos. S. Lutterloh, Esq., Fayetteville, or the subscriber at Pittsborough, N. C.

J. H. HAUGHTON.

Nov. 12, 1857. 60-tf

NOTICE.

AT September Term 1857, of the Court of Pleas and Quarter Sessions for the County of Cumberland, the subscriber having qualified as Administrator upon the Estate of John McLaurin, notifies all persons indebted to the Estate to make immediate payment, and all persons having claims against the said Estate to present them properly authenticated within the time prescribed by law, otherwise this notice will be pleaded in bar of their recovery.

D. McLAURIN, Adm'r.

Sept. 15, 1857. 43tf

NOTICE.

THE subscriber having, at June Term 1857, of the Court of Pleas and Quarter Sessions for the County of Cumberland, qualified as Administrator upon the Estate of Willie F. Moore, hereby notifies all persons having claims against the said Estate to present the same properly authenticated within the time prescribed by law, otherwise this notice will be pleaded in bar of their recovery.

Debtors to the said Estate will please make payment immediately.

E. P. MOORE.

June 8, 1857. 18tf

TEACHER WANTED.

A GENTLEMAN well qualified to teach the English, Latin and Greek Languages, will find a situation with a liberal salary, on application to JOHN C. SMITH & BROTHER, 20 miles North of Fayetteville, or by letter addressed to Averasborough.

Dec. 28, 1857. 71-*5t

BELMONT SELECT SCHOOL,
Granville County, N. C.

10 MILES SOUTH OF CLARKSVILLE, VIRGINIA.

R. H. GRAVES, Principal.

THE Principal, after teaching for twenty years having determined to establish a permanent Select School in the country, selected the above location out of many which he had carefully examined, as being preeminently suitable for the purpose designed; reference being had especially to health, and the advantages of social, moral and religious influence. To attain these ends, though at the expense of improving a new place, the site was procured in the midst of a community noted for intelligence, refinement and moral worth, remote from stores, tippling shops, and other places of temptation to extravagance and vice.

The School has been two years in successful operation, and the character of the location above given is freely awarded to it by all acquainted therewith.

Board can be had in families of the highest respectability.

As the number of classes will be limited, it is important that applicants state the progress already made.

TERMS.—For Board and Tuition per Session of 20 weeks, $85, payable in advance.

The next Session will commence 14th January 1858. Address the Principal at Brownsville P. O., Granville Co., N. C. Dec'r 4.—66*6t

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MONTGOMERY ACADEMY.

THIS Institution, located in the Southern part of Montgomery county, N. C., in the midst of a moral and healthy neighborhood, will commence its exercises on Monday the 4th of January next.

It is preparatory to the University or any other College of the State.

Tuition $8, $12, and $16 per session of five months. No deduction made unless from sickness or unavoidable causes. Board $7 per month, exclusive of lights.

J. W. EWING, Principal.

For further particulars address the Principal at Pekin, N. C. Dec'r 17.—71*4t

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Mt. Vernon Seminary.

THE fifth Session of the Male Department of this Institution will open on the 2d Monday in January, 1858.

Terms as heretofore—varying from $5 to $15; $1 for incidental expenses. One half payable in advance, and if payment is delayed, interest will be charged in all cases.

Arrangements are making to furnish greater accommodations for Board within a short distance of the Academy. Board at $8 per month. It is very important for all to be present at the opening of the Session, though pupils will be admitted during the Session, and charged from time of entrance to the *close*. No deductions made unless in cases of protracted illness.

The Trustees seem determined to assist in offering to the public an Institution worthy of united patronage

For particulars address

R. P. JONES, Principal.

Goldston, N. C., Dec. 14, 1857. 68*5t

MIDDLETON ACADEMY.

THE next Session of this institution will commence on the 1st day January next. Tuition for Primary English Branches $8 00; Arithmetic, Geography, English Grammar, 10 00; higher English and Mathematics 12 00; Latin, Greek and French, 15 00. Students charged only from the time of entering till the close of the session; but no deductions for absence except in case of protracted illness. Board can be obtained in the best of families at moderate rates.

For further particulars address the undersigned at Franklinsville, Randolph County, N. C.

M. S. ROBINS, Principal.

Dec'r 18, 1857. 70*4tpd

DRY GOODS
AT FLORAL COLLEGE.

THE Subscriber expects to receive his Fall and Winter Goods in a few days; his stock this season will be found unusually attractive, comprised in part of a large assortment of

Staple Goods; Ladies' Dress Goods; Ready-made Clothing; Boots; Shoes; Hats, Caps; Bonnets; Cloaks; Talmas, &c.

In fact, everything usually found in a Dry Goods Store, all of which will be sold to suit the times to cash and prompt paying customers. At No. 1, Floral Avenue, is the place to find cheap, good and handsome Goods. Bear this in mind. EDMUND LILLY.

Sept. 4, 1857. 40-*tf

New Goods Again!

THE undersigned has now in Store a COMPLETE STOCK OF

GROCERIES
AND
HEAVY HARDWARE;

—ALSO—

Negro Kerseys, Blankets, Hats and Brogans.

All or any of which will be sold low. Those in want call soon. G. W. I GOLDSTON.

N. B.—A few Bushels Seed Wheat.

Oct'r 19, 1857. 52-*tf

DESIRABLE HOTEL PROPERTY
FOR SALE.

THAT valuable Stand in the village of Asheborough, known as the "RANDOLPH HOUSE," formerly occupied as a Hotel by J. M. A. Drake, is offered for sale, on accommodating terms. To a person qualified and desirous to engage in the Hotel business, a very flattering opportunity is offered for a profitable investment. Asheboro' is a healthy locality, society unsurpassed in any inland village, good opportunity for educating children, and in fact a very desirable residence for a family.

If not sold privately before the first Monday in Feb'y next, it will be offered for sale to the highest bidder on the premises on that day, and sold without reserve.

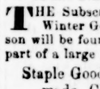
For information in regard to the property, a letter addressed to A. J. Hale, Esq., of Asheborough, or to myself at Cedar Falls, will receive prompt attention.

J. B. TROY, Ag't.

P. S. The property probably could be obtained on lease if desired.

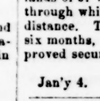
Dec. 16, 1857. 70*ts

STANLY HOTEL.



THE Subscribers having lately purchased the above mentioned

HOUSE,



respectfully solicits public patronage. We will spare no pains to render all comfortable who may favor us with a call. Our Table shall be furnished with the best the Market affords.

Our STALLS are in good repair, well supplied, and attentive Ostlers in attendance.

We also have a Large Stock of Goods

on hand, consisting of a general variety, which we offer low for cash or on time to punctual dealers.

STEED, HARRIS & ROSS.

Albemarle, N. C., Oct. 28, 1857. 56-*6mpd

GUANO.

35 TONS No. 1 PERUVIAN GUANO, for sale by WORTH & UTLEY.

Aug. 28. 38-

T. C. & B. G. WORTH,
Commission & Forwarding Merchants,
Brown's Building, Water Street,
Wilmington, N C,

Usual advances made on consignments.

Nov. 11, 1857. 59-tf

D. A. LAMONT,
Commission Merchant,
Wilmington, N. C.

OFFICE 38 NORTH WATER STREET.

Personal attention given to all produce sent to him either for sale or shipment.

Nov'r 6. 57-1ypd

DAVID McDUFFIE,
Brickmason and Plasterer,

IS prepared to do all kinds of work in his line, including the putting up of Turpentine Stills in this and the adjoining counties.

Fayetteville, April 27, 1857. 8-17-pd

LAURINBURGH HIGH SCHOOL.

THE exercises of this Institution will commence on Tuesday, the 12th day of Jan'y next, Rev. JOHN W. MAJOR, Principal. Mr. Major comes with high testimonials of character from Rev. Dr. Junkin and others as a gentleman, a scholar, and a successful instructor of youth, of several years experience.

Dr. Junkin says of him, "He is a gentleman whose scholarship, experience, piety and gentlemanly bearing qualify him for the post. * * * In *every respect*, as a *man*, a *preacher*, a *teacher*, and a CITIZEN, I think he is worthy of your confidence."

The Session will close with a public examination, on Thursday the 10th day of June.

Rates of Tuition as formerly, 8, 12 and 20 dollars per Session: no deductions for absence except in sickness.

Board, exclusive of washing and room lights, 8 dollars per month.

Further information can be had by addressing the undersigned. D C McINTYRE, Sec'y

Laurinburgh, Richmond Co., N. C., } 70*4t
Dec'r 16, 1857. }

EXECUTOR'S NOTICE.

THE subscriber having qualified at the November Term of the County Court of Bladen, as Executor of the last Will and Testament of Willie Atkinson Dec'd, hereby requests all persons indebted to said estate, to make immediate payment, and all persons having claims to present them within the time prescribed by law, or this notice will be pleaded in bar of their recovery.

W. A. ATKINSON, Ex'r.

Elizabethtown, Dec 14, 1857. 7-*6t

NOTICE.

AT December Term 1857, of Cumberland county Court, the subscriber qualified as administrator of the Goods and Chattels, rights and credits, of the late Sarah Leach. All persons indebted to her are notified to make payment. Those holding claims must present them in due time or this notice will be pleaded in bar of a recovery.

ALEXANDER LEACH.

FURTHER NOTICE.

ON the 31st day of this month, at the residence of Mrs. Mary Leach, in Cumberland county, I will sell on six months credit, the Perishable Property belonging to the late Sarah Leach.

ALEXANDER LEACH, Administrator.

Dec'r 11, 1857. 68*6tpd

$10 Reward.—Horse Stolen.

FROM my lot on Tuesday night, the 28th Dec'r, a small HORSE, 15 or 16 years old, originally gray, but now nearly white, with a lump on one of his hind feet done with a nail, and a swelling of his left wether, probably produced by the collar. I will pay the above reward for his delivery, either at my house, or to Dan'l Clark in Fayetteville.

HUGH LESLIE.

5 miles from Little River Factory, } 73*3tpd
Jan'y 2, 1858. }

EQUITY LAND SALE.

BY virtue of a Decree of the Court of Equity at Fall Term 1857, upon the petition of Frances Evans and others, I will sell at the Court House in Fayetteville, on the 1st Monday of February, being the first day of the Special Term of the Superior Court, that valuable TRACT OF LAND known as the 'Blocker Land,' situated on the East side of Cape Fear River, about 3 miles above the mouth of Rockfish, and containing about 550 Acres, adjoining the lands of Jonathan Evans and others.

Terms of sale, 6 and 12 months credit, with interest from date; bond and approved security required from the purchaser.

WALTER A HUSKE, Clerk and Master.

Dec'r 20, 1857. 73*ts

EQUITY LAND SALE.

BY virtue of a Decree of the Court of Equity, upon the Petition of the Heirs at Law of John McAra, dec'd, I will sell, at the Court House Door in Fayetteville, on the 1st Monday of February, at the Special Term of the Superior Court 100 ACRES OF LAND, situated two or three miles from town, adjoining the lands of J. W. Powell, J. W. Pearce and others, and through which the Southern Plank Road runs for some distance. The said Land will be sold upon a credit of six months, with interest from date. Bond and approved security required from the purchaser.

W. A. HUSKE, C. & M. E.

Jan'y 4. 73*ts

CLERK AND MASTER'S OFFICE,
RANDOLPH COUNTY, N. C.

WHEREAS, Jesse Marley has filed in the Office of the Clerk and Master in Equity for Randolph County, his bill of complaint against John Marley, Thomas Marley, the heirs at law of Patsey Teague, the heirs at law of Rachel Marley, the heirs at law of Polly Branson and Elizabeth Underwood, Polly Siler, John Stewart, Elizabeth McDaniel, Frankey Beck, Nancey Allridge, Rebecca McDaniel, and Sophia Wood, praying for a construction of the Will of Miriam P. Alston, and an account and settlement of the plaintiff's administration of her will as her testator; and it appearing to me that all the defendants (excepting John and Thomas Marley,) are non residents of this State, therefore, Notice is hereby given to said non resident defendants to appear at the next Court of Equity, to be held for said County at the Court House in Asheborough, on the 4th Monday of March, 1858, then and there to plead, answer or demur to said bill, otherwise the same may be taken as confessed, and heard ex parte as to them.

Witness, J. Worth, Clerk and Master of said Court, at Asheborough, this 8th Dec'r, 1857.

68*6t] J. WORTH, C. M. E.

CLERK AND MASTER'S OFFICE,
RANDOLPH COUNTY, N. C.

WHEREAS, Jonathan Worth, administrator de bonis non, with the will annexed, of John McNeill, Senior, and as administrator of John McNeill, jr, has filed in this office his bill of complaint against Jennet McNeill, R. E. Harris and wife Janet Ann, Martin McNeill, John McLean, Henry Atkins and wife Flora, and Sarah Shaw, for a construction of the testator's will and for a final settlement of his estate, and it appearing to me by affidavit that the said Atkins and wife, and Sarah Shaw are not inhabitants of this State: Therefore, Notice is hereby given to said non resident defendants to appear at the next Court of Equity to be held for said County, at the Court House in Asheborough, on the 4th Monday of March, 1858, then and there to plead, answer or demur to said bill, otherwise the same will be taken as confessed, and the Court will make such decree therein as may seem just

Witness, J. Worth, Clerk and Master of said Court, at office in Asheborough, this 8th December, 1857.

68*6t] J. WORTH, C. M. E.

North Carolina,—RANDOLPH COUNTY.

Clerk and Master's Office, Dec. 4. 1857.

WHEREAS the Executors of Eli Bray and others have filed in this Office their Bill of Complaint against Benj'n Marley and wife Ruth, Samuel Bray, John D. Brown and wife Jane, and others, praying for a construction of the testator's will and an account or settlement of his Estate; and it is made to appear to me by affidavit that the said Marley and wife, Samuel Bray, and Brown and wife, are not inhabitants of this State. Therefore, the said Marley and wife, Samuel Bray, and Brown and wife are hereby notified to appear at the next Court of Equity to be held for the County of Randolph, at the Court House in Asheborough, on the 4th Monday of March next, then and there to plead, answer or demur to said Bill, otherwise the bill will be taken as confessed, and the Court will make such Decree therein as may be deemed just.

Witness, J. Worth, Clerk and Master of Randolph Court of Equity, at office in Asheborough.

JONATHAN WORTH, C. M. E.

Dec. 7. 66-*6t

TO PLANTERS AND FARMERS.

THE Lodi Manufacturing Company, incorporated in 1840, with a capital of $100,000, offer their

New and Improved Poudrette

for sale, as the cheapest and best fertilizer for Corn, Cotton, Tobacco and Kitchen Gardens that can be made. It has been used with great success in the Northern States for seventeen years. It is inodorous, very powerful, and yet can be used without danger in contact with the seed. The night soil of the city of New York, from which this fertilizer is manufactured, is well known as the most powerful manure in the world. Price per barrel on board of vessel in New York, $1 50—for seven barrels and over—under that quantity $2 00 per barrel. Terms cash. A pamphlet will be sent gratis and post paid to any applicants.

☞ A trial, however small, is respectfully solicited

Address LODI MANUFACTURING CO.,
60 Courtlandt Street, New York.

Dec'r 12. 65*2m

IMPORTANT TRUST SALE.

BY virtue of a Deed of Trust to me executed by Angus McFadyen and Duncan McFadyen, I will sell at the Court House in Carthage, on the 21st day of January, 1858, and on a credit of six months, Four valuable Negroes, three men and one girl, one of the men a good blacksmith, named 'Anderson;' Sixteen head of Mules; Four head of Horses, Four Wagons and Gear; One Tract of Land known as the McFadyen land, 327½ acres, in Moore County, adjoining the Watson lands on Governor's Creek; and other articles of property. Bond and surety required of purchasers.

JOHN T. COUNCIL, Trustee.

Dec'r 22. 71*ts

STATE OF NORTH CAROLINA,
ROBESON COUNTY.

Court of Pleas and Quarter Sessions, November Term, 1857.

Archibald Graham and others, vs. Hugh Tedder and Susan Tedder.

Petition for a Division of Slaves.

IT appearing to the satisfaction of the Court, that Hugh Tedder and Susan Tedder, the two defendants in this case, reside beyond the limits of this State, it is therefore, on motion, ordered that publication be made for six weeks successively in the Fayetteville Observer, notifying the said defendants of the filing of this petition, and that unless they appear at the next term of this Court, to be held for the County of Robeson, at the Court House in Lumberton, on the fourth Monday in February next, then and there to answer the petition, the same will be taken pro confesso and heard ex parte as to them.

Witness, John M Hartman, Clerk of our said Court, at office, the Fourth Monday in November A. D. 1857, and in the Eighty Second year of American Independence.

J. M. HARTMAN, Clerk.

Lumberton, Dec. 19th 1857. 71-*6t

STATE OF NORTH CAROLINA,
ROBESON COUNTY.

Court of Pleas and Quarter Sessions, November Term, 1857.

Angus D McLean vs Malcom Baxter

Original Attachment, levied on Ninety seven acres of land on Richland Swamp, adjoining the lands of Daniel McMillan, Mary Graham, and others.

IT appearing to the satisfaction of the Court that the defendant, Malcom Baxter, resides beyond the limits of this State, it is therefore ordered by the Court, that publication be made for six weeks in the Fayetteville Observer, for the said defendant to appear at the next Term of this Court, to be held for the County of Robeson at the Court House in Lumberton, on the fourth Monday in February next, then and there to show cause why the Land levied on in this case should not be condemned to satisfy the plaintiff's claim, wherein judgment final will be rendered against him, and a venditioni exponas issue to sell the said Land.

Witness, John M. Hartman, Clerk of our said Court, at Office, the fourth Monday in November, A. D. 1857, and in the 82d year of American Independence.

71*6t] J. M. HARTMAN, Clerk.

STATE OF NORTH CAROLINA,
ROBESON COUNTY.

Court of Pleas and Quarter Sessions, November Term, 1857.

Washington S. Johnson vs. Malcom Baxter

Original Attachment levied on Ninety-seven Acres of Land on Richland Swamp, adjoining the Lands of Daniel McMillan, Mary Graham and others.

IT appearing to the satisfaction of the Court that the defendant, Malcom Baxter resides beyond the limits of this State, it is therefore ordered by the Court, that publication be made for six weeks in the Fayetteville Observer for the said defendant to appear at the next Term of this Court, to be held for the County of Robeson at the Court House in Lumberton, on the fourth Monday in February next; then and there to show cause why the land levied on in this case should not be condemned to satisfy the plaintiff's claim, wherein judgment final will be rendered against him, and a venditioni exponas issue to sell the said land.

Witness, John M. Hartman, Clerk of our said Court, at Office, the fourth Monday in November, A. D. 1857, and in the 82d year of American Independence.

71*6t] J. M. HARTMAN, Clerk.

STATE OF NORTH CAROLINA,
ROBESON COUNTY.

Office of the Court of Pleas and Quarter Sessions, to February Term 1858.

James Braswell, Solomon Butler and wife Mary, Samuel Butler and wife Milly, Gideon Yelvington and wife Nancy, Ashley Braswell, Allen Braswell, *versus* Kinneth Braswell, Henry Braswell, Wheat Braswell, Lotty Braswell, and the children and next of kin of Tobias Braswell: dec'd.

This is a Petition filed in the Office for a division of Slaves among the next of kin of Richard Braswell, deceased, late of the County of Robeson.

IT appearing to the satisfaction of the Clerk of this Court that said Kinneth Braswell, Henry Braswell, Wheat Braswell, and Lofty Braswell, children of William Braswell, deceased, who was a brother of the intestate Richard Braswell, and also the children and next of kin of Tobias Braswell, deceased, who was also a brother of said intestate, and whose names are unknown, are non residents of this State: therefore, the said Kinneth, Henry, Wheat and Lotty Braswell, children of William Braswell, deceased, and the children and next of kin of said Tobias Braswell, dec'd, whose names are unknown, are hereby notified to appear at the next Term of the Court of Pleas and Quarter Sessions, to be held for the County of Robeson, at the Court House in Lumberton, on the fourth Monday in February next, and plead, answer or demur to the said Petition,